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The Washington Monthly

JUNE 1987/$3.00

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LETTERS

Mineral morass

The Washington Monthly deserves credit for zeroing in on the unglamorous but significant subject of federal minerals management ["You Think the NSC is Screwed Up?" John Eisendrath, April].

The Conference of Western Attorneys General has been monitoring the program since 1979 when they became concerned at GAO reports that the Mineral Leasing Act's mandates were not being carried out. In 1980, California sued then-Secretary Watt, asking for an accounting and for implementation of an effective program. By way of settlement, the department offered to let state and tribal auditors examine the books of their more than 18,000 leases. In several years of auditing, over $45 million in underpayments has already been collected.

Unfortunately, although much has been accomplished, the Department still shows signs from time to time of reverting to its old practices. A recent House Appropriations Committee study charges that hundreds of millions a year are lost in underpayments. Yet Secretary Hodel is now threatening to adopt a set of valuation standards reminiscent of the old "honor system" days, making industry declarations nearly unauditable. When states and tribes protested, he told them to be less concerned about collecting every cent due and more solicitous about the domestic oil industry.

To add insult to injury, the administration is vigorously renewing an attempt to do states out of an additional $55 million by forcing them to help finance the costs of the federal lease management program from their share of revenues. Although the Senate Appropriations Committee has condemned this proposal as an effort to circumvent the Rules of Congress and amend the Mineral Leasing Act by indirection, the administration blithely reintroduces it year after year.

JOHN K. VAN DE KAMP
Sacramento, California

John Van De Kamp is attorney general of the state of California.

I read with great disappointment John Eisendrath's article. I am amazed that he is the same reporter I spoke with for more than an hour and a half in December, and to whom I provided exhaustive documents on this agency's Royalty Management Program.

During our interview, we spoke at length about the report prepared by the staff of Rep. Sidney Yates, the report that Mr. Eisendrath so faithfully exaggerates for your readers. I shared with him MMS's lengthy and well-documented response to that report. I explained the problems with the report's calculations and conclusions; I told him that none of the audit organizations familiar with royalty collections, including the General Accounting Office and the Inspector General, believes we are undercollecting royalties by 21 percent. It is disturbing that your magazine willfully elected to repeat unsupportable and responsibly discredited conclusions.

Mr. Eisendrath clearly did a fair amount of homework on the history of royalty management and illustrates the program's troubled past. I spoke with him candidly about the years of mismanagement that led to the creation of MMS and about the weaknesses that persist. These he reported. But I also told him about the progress made in the past three years, and our current efforts to resolve the problems that remain. These he did not report.

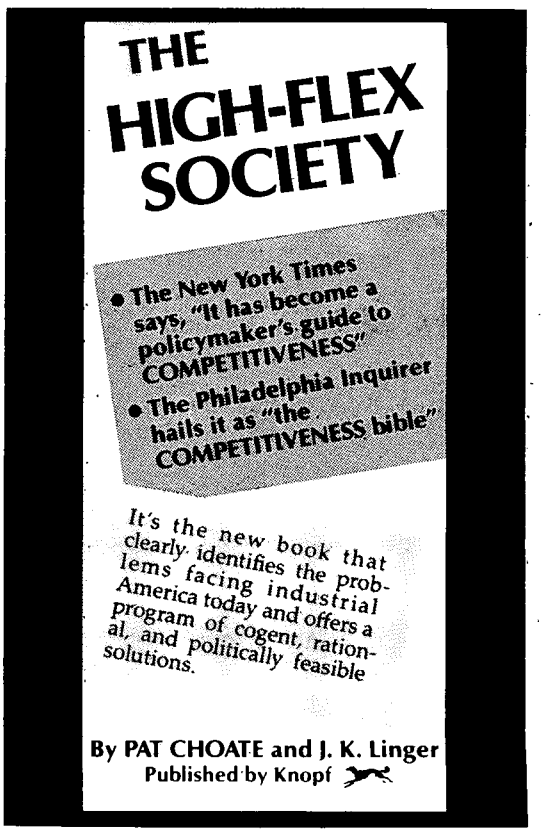
Ask some of the minerals producers how they view MMS's royalty collection efforts. They complain that we are relentless and demanding.

WILLIAM D. BETTENBERG
Washington, D.C.

William Bettenberg is director of the Minerals Management Service.

You are to be commended for the disclosures in the April issue of the public scandal involved in the mismanagement of federal, state, and Indian oil and gas royalties—losses amounting to 21 percent per annum, or about a billion dollars per year.

Interior's new definition of "arms length" encom-



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passes *any* relationship except dealing with a subsidiary. This combination of legally vague relationships and privately determined value, without recourse to audit as we read it, will leave the federal government and states and Indian owners totally at the mercy of producers. Companies will be able to charge the owners a very high percentage of the royalties owed, for transportation and other producer expenses. Most standard royalty contracts *preclude* such charges from being passed back to the owner.

Obviously, these regulations should be rewritten to reflect the intent of Congress and the courts. Perhaps, as Rep. Yates stated in a hearing last year, Interior is not the best agency to which to assign this responsibility. Thirty years is long enough for any organization to try, and fail repeatedly.

JOSEPH B. KENNEDY
Washington, D.C.

Joseph Kennedy is general counsel at the Government Accountability Project.

Bravo to John Eisendrath for his incisive report on the Department of the Interior's royalty management program. This boondoggle is a prime example of bureaucratic sloth and ineptitude run amok.

For the last 30 years various government agencies have looked the other way as oil companies pocketed money that rightfully belonged to the American public. Congress, in the meantime, has taken only a few small steps that have not produced any results.

At the very least we need: accurate valuation of the oil pumped from Indian lands; prompt, complete, and accurate payment of royalties; a redefinition of the "arms length" relationship between buyers and sellers of the oil; regular audits; stiff penalties for noncompliance.

Congress should move swiftly to enact these provisions—if not for the country, then for themselves. Restoring a billion dollars a year to the federal treasury is a great way to pay for their recently enacted salary hikes.

JOAN CLAYBROOK
Washington, D.C.

Joan Claybrook is president of Public Citizen.

Celluloid clarification

Priscilla Witt ["Do You Want Any More Secret Documents Put in the Safe, Mr. Ambassador?...," April] must be younger than many of us, to have written about the Cicero affair that "It may not have made Hollywood." It did indeed make Hollywood, in "Five Fingers" with James Mason playing the spy, Walter Hampden the ambassador, and—was it Danielle Darrieux?—the femme fatale. From the perspective of 35-odd years, a damn good picture!

HELEN N. ELDERKIN
Santa Rosa, California

Continued on p.57

The Washington Monthly

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CONTENTS

Volume Nineteen, Number Five June 1987

Tilting at Windmills *by Charles Peters*	Fawn Hall's autograph...Modigliani heads and reporters' insecurities ...tax-deductible Oxford degrees...and other odds and ends....	4
The NRA is Right *by Josh Sugarmann*	But we still need to ban handguns.	11
Whip Me, Beat Me and While You're at it Cancel My NOW Membership *by Art Levine and Kathleen Currie*	Feminists war against each other over pornography.	17
The Kissinger Covenant and Other Reasons Israel is in Trouble *by Milton Viorst*	They've beaten the Arabs, so what's plaguing Israel?	23
From the People who Brought You the Twinkie Defense *by Blake Fleetwood*	The rise of the expert witness industry.	33
Eyes on the Lies *by Susan Milligan*	How black leaders and cigarette companies have turned indoor smoking into a civil rights issue.	39

ON POLITICAL BOOKS

Wild About Harry *by John Kenneth Galbraith*	Remembering Harry Hopkins and the New Deal.	44
Soon to Be a Major Motion Picture *by Steve Oney*	More and more journalists write for Hollywood, not their readers.	46
If It's Tuesday, This Must Be Managua *by Charles Lane*	The writer as tourist in Nicaragua.	48
Inside Tax Reform *by Paul Glastris*	How the good guys made the bad guys do the right thing.	52
Political Booknotes	Reviews by **Gregg Easterbrook, Tony Simonelli, Michael A. Fernandez, Paul Savage, Timothy Noah,** and **Michael D. Mosettig.**	58

LETTERS	**1**	**POLITICAL PUZZLE**	**16**
WHO'S WHO	**10**	**TIDBITS AND OUTRAGES**	**38**
MONTHLY JOURNALISM AWARD	**42**	**MEMO OF THE MONTH**	**22**

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TILTING AT WINDMILLS

When senators asked William Webster why he had repeatedly failed to have the FBI follow up on warnings that Lt. Col. Oliver North and the White House staff were up to no good in Iran and why, as late as December 14, more than two weeks after Fawn Hall had put in her overtime at the shredding machine, he had said the FBI had "no evidence of the destruction of documents," the man who has directed the FBI for a decade and is now the nominee to head the CIA replied:

"I am not an investigative expert.". . .

Speaking of Fawn Hall, if you need further proof that we have a celebrity culture in which what counts is that you've become famous, not what you did to get there, you should know that Hall was an honored guest at the annual dinner of the White House Correspondents' Association. So were John Poindexter and Robert McFarlane.

The story of how Hall was invited by Mike Kelly of the *Baltimore Sun* ran in the *Los Angeles Times* under the headline:

A Reporter
Pulls Off
Social Coup

The story quoted Kelly as saying, "My favorite thing of the evening was watching a crowd of allegedly hard-bitten newsmen line up to get Fawn Hall's autograph.". . .

Those impetuous rascals at the Department of Energy have, according to the Associated Press, "tentatively set 2007 as the target date for selecting possible sites for a permament nuclear waste repository in the eastern part of the country." (The words "tentatively" and "possible" merit careful pondering by students of bureaucratese.) The DOE says not to worry about this because the repository in the West will be able to handle all the nation's nuclear waste for at least the next 30 years. There is, however, one small problem. The site in the West, which has not yet been selected, is not scheduled to open until 1998, and the DOE is asking Congress to change the date to 2003. . . .

The desire to be hip, to be in the know, regardless of whether that knowledge has anything to do with real wisdom, is an especially odious adolescent trait that now appears to be dominant among American adults. The popularity of put-down humor is one example. Another is a course called "Meeting People at the Great Museums," taught by a New Yorker named William

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Quinn. "The course teaches you," one of Quinn's students told William E. Geist of *The New York Times*, "how to sound halfway intelligent about art when you're not."

"If they're at a dinner party and start talking about the Modigliani heads being inspired by Brancusi," Quinn explained to Geist, "other people at the table pay attention to them. Knowing art indicates breeding and sophistication, like knowing wine."

Another example comes from George Bishop of the Behavioral Science Laboratory at the University of Cincinnati, who conducted a public opinion poll about several pieces of legislation, including the Monetary Control Act and the 1975 Public Affairs Act. Forty-two percent of those interviewed were willing to give an opinion on the latter, 55 percent on the former. The catch was that both bills are fictitious. Rather than be thought not in the know about matters before Congress, the respondents lied.

It is in the case of the press that I find this desire to appear hip to be the most damaging. Most political reporters are Jack Germonds—wryly witty, world-weary, not know-it-alls in an offensive manner, but finally wanting it to appear that they do know it all. Beneath this appearance there is often a truly colossal intellectual insecurity, which helps explain why, instead of covering the issues, they always turn elections into horse races—who's up and who's down in the polls—and into accounts of gaffes and scandals. If they write about issues they just might reveal what they don't know. So when they do write about them, they write boring synopses of the candidates' platforms—which fulfill the reporters' own prophecies that issues are boring—instead of lively analyses of candidate positions that put into perspective how those positions relate to the major problems of the country and how they don't....

Corruption in state government is usually connected with the construction of public buildings and roads, the acquisition of land for such construction, and the awarding of licenses for race tracks, banks, and liquor sales.

In county and municipal government, crookedness tends to concentrate in the assessor's office. In Marshall County, West Virginia, a corporation owned by the assessor, one Pinky Clark, was recently revealed to have received a $244,000 loan from a local bank after Clark had reduced the bank's assessment from $1.01 million to $259,700.

If you wonder why an otherwise crusading newspaper seems uncharacteristically indulgent about the sins of the mayor or the county officials, you might check to see what the paper's assessment is. I can tell you that when we ran an article last summer that was quite critical of Marion Barry, the mayor of the District of Columbia, my mother, who is a veteran West Virginia politician, immediately called to say, "Charlie, you better watch out—your assessment is about to be doubled."...

Further evidence that something has gone wrong with Israel comes from a recent State Department report that singles it out as the worst violator of the international arms embargo against South Africa....

Remember those marvelous speeches Peter Rodino made during the Nixon impeachment hearings? For years I have been puzzled that similar eloquence has not characterized the chairman's subsequent public addresses. Just the other day, I finally learned the explanation. The

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impeachment speeches were mostly written by Renata Adler of *The New Yorker*....

There is an important bureaucratic truth in William J. Ward's "The Happy Worker," which recently appeared in *Management Review*.

"Once upon a time," the article begins, "in a company far, far away there was a worker. He was a productive, happy worker, but alas, he was unsupervised."

Ward goes on to describe how one administrator, assistant administrator, and administrative assistant after another was hired to oversee the happy worker until the company began to lose money. Its director consulted a consultant. The consultant said there were too many employees, so the director fired the productive, happy worker.

American business seems finally to have grasped the point of this story and has begun to get rid of the fat around its middle. But in government, there are still far too many supervisors and far too few people doing the real work. This is especially true at the IRS, the FAA, and the Postal Service. At the IRS, for example, a congressional task force recently found that 16,900 new working-level employees, such as auditors and telephone answerers, are needed if the agency is to do its job properly....

In March, the Army told us that only five of its Bradley fighting vehicles had sunk. In April, it developed that the true figure was 12. Why the difference? The great minds who are charged with defending this nation against its enemies decided that if the sinking caused less than $700 damage to the vehicle, it didn't count it as a sinking. And if the sinking occurred near a river bank, it was called a swamping instead of a sinking....

White parents should not be permitted to adopt black children, according to the National Association of Black Social Workers, which has successfully lobbied to cut in half the number of such adoptions in the past 15 years. "We consider transracial adoption a form of cultural and racial genocide," says a former president of the organization. The inhuman absurdity of that statement becomes clear when one learns from *The Wall Street Journal* that almost half of the children in this country who are legally available for adoption are black. When black adoptive parents can't be found, it is cruel to deny these children the chance to be part of a loving family simply because the rest of that family is white....

Why can't we be relaxed, sane, and free of anxiety? Because we have good reason for being in a constant state of panic. Let me review three horror stories that came out just in the month of April.

After our nuclear power industry tells us there is no danger of a Chernobyl here, we read that a Philadelphia Electric Company nuclear plant has been shut down because its operators were literally asleep at the switch.

Having thought the chickens we eat have been inspected by the Department of Agriculture, we learn that only 0.07 percent are inspected closely, and that 37 percent of all chickens on the market contain salmonella bacteria, which can make you very sick or even kill you. And, according to UPI, "As much as 90 percent to 100 percent of chickens" released by some plants may be tainted.

Most of us thought the danger of air pollution came from breathing fumes of motor vehicles or industrial plants, and that we were safe within the sanctuary of our own homes. Now we learn that the house is more dangerous than a Los Angeles freeway. The culprits, according to *The New York Times*, include radon gas, cigarette smoke, formaldehyde (used in furniture and other products), asbestos, carbon monoxide from stoves, household solvents such as paint strippers, and household pesticides like roach poisons.

If all this wasn't bad enough, April was also the month when we learned from Robert Kelley of Carnegie-Mellon University's business school that between 2 and 3 percent of the entire working force in the United States is now involved in consulting....

My friend Morton Mintz says he does not think that the poor placement of his stories in *The Washington Post* has anything to do, as I contended in April, with his union activities. I disagree, but I was wrong to suggest that those activities were the only reason. The owners and

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editors of the *Post* are intelligent and decent people who want to do the right thing. When they sin, the reasons are usually complex enough to be hidden from them. In other words, if they knew they were doing wrong, they wouldn't do it.

In Mintz's case, there are at least three factors that go into the mixture of motives that result in his articles appearing on page 32. One is that there *is* anti-union sentiment among the top people at the *Post*. It has some justification—remember the bombing of the press room a decade ago. Some of the editors also have a condescending attitude toward the quality of Mintz's prose. Finally, there is the curious indifference to consumer protection that for years led to the *Post*'s placing stories about the recall of defective products in the Business Section along with the stock market news. The *Post* seemed more interested in warning investors about how the defective products might affect the companies in which they had stock than in warning consumers of defective products that might endanger their health or even their lives. Fairness requires that I concede the *Post* doesn't always bury Mintz in the back of the paper, but it does so far too often. He is, after all, one of the great reporters of our time....

Friends often ask me why I write so much about *The Washington Post*. The answer is contained in our article on the tax reform bill beginning on page 45. How the *Post* reports on issues such as tax reform often has as much to do with what ultimately is done by the government as what the president or the committee chairman or the cabinet secretary says. It is, like the bureaucratic factors we also dwell on, a largely unrecognized player in the game of government....

This month's Tax Deductible Conference Award is presented to the Bureau of National Affairs for its Oxford Symposium on Comparative Industrial Relations. Not only do participants get a tax-deductible trip to England, they also receive official "Certificates of Attendance," embossed with the Merton College coat of arms, and the comforting knowledge that before long, the word will spread through their hometowns, "He went to Oxford, you know."...

You may recall that in our March issue we reported that Thomas Clines, a former CIA official, appeared to be involved in Irangate. In late April, Lawrence E. Walsh, the special prosecutor, announced that Clines was a "principal" in his investigation and urged congressional investigators not to grant him immunity from prosecution.

The thrust of the item we ran about Clines was why did the CIA hire people like him and Edwin P. Wilson, who is now serving time in a federal prison? Further evidence of the agency's curious personnel policy has now been supplied by *Willamette Week*, an excellent *Village Voice*-type publication in Portland, Oregon. It

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discovered that the CIA had offered a job in Central America to Thomas Hudgens, a convicted murderer and drug dealer and one of Oregon's most dangerous criminals....

I'm glad I'm no longer a civil servant, if for no other reason than I don't have to agonize over what to do about my pension. July 1 to December 31 of this year is the "open season," during which current federal employees hired before 1984 and covered by the old Civil Service Retirement System (CSRS) can choose to switch over to the new Federal Employee Retirement System (FERS), which covers the newly hired. The problem is that finding out whether jumping to FERS will or won't maximize your pension benefits requires complicated formulas, actuarial charts, and knowledge of the intricacies of both plans.

Not surprisingly, a crop of new consulting firms has sprouted in recent months to attend to the hundreds of thousands of anguishing bureaucrats. Send these firms your career history and other data and they'll run it through their computers and tell you which choice is right for you, all for a fee, of course. If you're a federal personnel specialist responsible for explaining FERS to your agency's employees, relax: these firms will be delighted to send a consultant out to give a comprehensive lecture on pensions and answer questions from the floor. The hefty fees for such talks are payable out of agency training budgets.

How do these consultants happen to be so well versed on FERS? Because they are by and large the former staff members from Congress, and bureaucrats from the GAO and OPM who were responsible for putting the program together. Getting rich in private practice on knowledge gained in public service is nothing new to Washington. But the special twist here is that the better these consultants do their jobs, the higher the cost of federal pensions. When it was introduced last year, FERS was hailed as a reform that was supposed to save money, but with enough expert advice, people who have the most to gain by switching to FERS will do so; those who would do better in CSRS will stay, pushing the cost of both systems up....

I have previously urged moral reform and a career in public school teaching on all those brilliant hotshots who are currently corrupting themselves on Wall Street. Now I have another career to suggest to them. It is nursing. There is a severe shortage of nurses. One reason is the abysmal pay. But these Wall Streeters are already rich. They should now be seeking redemption.

Nurses are important in the American medical system because too many physicians have become impersonal as they rush from patient to patient in their relentless pursuit of the money for a second Mercedes. Today, if anyone cares about the personal feelings of the patient, it is the nurse. The best are truly saints. And wouldn't it be better to be a saint than to be another Boesky?...

Did you know that a yacht can be counted as a second home for purposes of getting a federal tax deduction? That's one of the loopholes last year's Tax Reform Act didn't plug. The only change it made in this regard was to require that you use the yacht at least 14 days a year. I trust the rich are maintaining a stiff upper lip as they bear this onerous burden....

According to a study conducted by Professor Jay Belsky of Pennsylvania State University, young children who spend more than 20 hours a week in day-care facilities are twice as insecure as other children their age. Belsky speculates that the reason for this may be that a child's "sense of trust, of security, of order in the world" is undermined by daily separation from its parents for substantial periods of time.

I'm suspicious of studies like this, wondering how on earth something like insecurity can be measured, but there is no question that too many mothers and fathers are too busy at their work to take care of their children. And, if my own marriage is at all typical, they're often too tired at the end of the day to give one another the minimum nurturing that even adults need. My hunch is that the main cause of domestic disputes is no longer money or sex but disappointment and reproach caused by this mutual failure to nurture....

—*Charles Peters*

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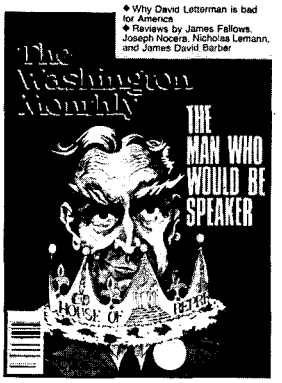

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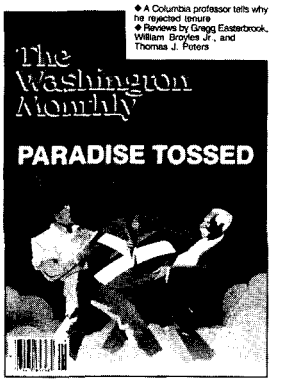

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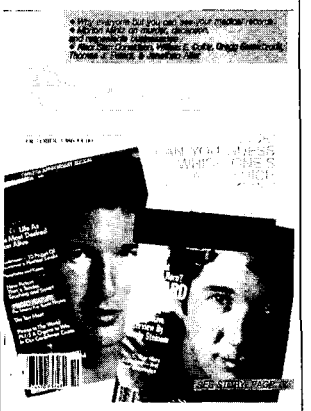

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WHO'S WHO in the Administration

There is truth to **Michael Deaver**'s claim that one of his problems was alcoholism, but why wasn't it reported years ago? The reporters who knew him well enough to know about it, such as *The Washington Post*'s **Lou Cannon**, didn't tell their readers about Deaver's weakness. Was it because he was their number one source? Does this also explain why the public was not told about Deaver's less attractive characteristics until after he left the White House and could no longer seduce journalists with juicy stories that made them seem to be beating their competition?...

If Michael Deaver was protected by some reporters who were trying to protect their source, he has certainly been hounded by **William Safire** of *The New York Times*. Is it possible that Safire's zeal to get Deaver has been heightened, as we have been told, by Safire's friendship with **Richard V. Allen** and reliance on Allen as a major source? Allen is said to nurse a permanent grudge against Deaver, who, he believes, was primarily responsible for his exit from the White House in 1982....

One of the major factors in the growth of the White House bureaucracy has been the tendency to reproduce in the West Wing functions supposedly performed by the rest of the government. Thus the National Security Council, in addition to performing a coordinating function, does things that State, CIA, and Defense are supposed to do. Perhaps the most extreme example of this trend is the naming of **Dan Crippen** as White House Budget adviser. The OMB *is* part of the White House, so now they're hiring someone to monitor someone else who's already inside. The reason this time is that **Howard Baker** does not like **James C. Miller**, the current head of OMB, but does not feel that now is the time to get rid of him. Crippen, on the other hand, is a friend whose advice Baker trusts....

According to the *American Lawyer*, Howard Baker earned $950,000 for his law practice in 1985. Was he paid this money because of his legal skills alone? Or was it just part of the implied bargain of favorable consideration for the clients when Baker returned to some position of public power?...

Last month we mentioned that Baker needed to throw a little red meat to the right-wing if they were going to stay tame during his tenure. The red meat appears to be **T. Kenneth Cribb, Jr.**, the new assistant to the president for domestic affairs. A sense of how satisfactorily Cribb fits the bill can be gathered from what **Richard Viguerie** said on hearing the news of the appointment: "We love him." Cribb, you may recall, pioneered new ground in government ethics, when he took six weeks of paid leave from his $72,000 a year job at the Justice Department to study for his bar exam....

In

WHITE HOUSE

Deputy Special Counselor to the President—**William B. Lytton III** has been a partner in the Philadelphia law firm of Kohn, Savett, Klein, and Graf.

Special Assistant to the President for Legislative Affairs—**Ronald K. Sable** has been special assistant to the president and senior director of legislative and legal affairs at the National Security Council.

Deputy Assistant to the President—**Danny L. Crippen** has been with the Washington office of Merrill Lynch, and was legislative counsel to former Senate Majority Leader Howard Baker.

Deputy Assistant to the President and Executive Assistant to the Chief of Staff—**John C. Tuck** has been the deputy assistant to the president for legislative affairs.

Senior Domestic Policy Adviser, Office of Policy Development—**Dinesh D'Souza** has been an editor of the Heritage Foundation's *Policy Review*.

Special Assistant to the President and Senior Director of Legislative Affairs for the National Security Council—**Alison Fortier** was director of Congressional affairs at the Arms Control and Disarmament Agency.

Associate Director for Natural Resources, Energy, and Science, Office of Management and Budget—**Robert K. Dawson** was an assistant secretary of the Army Civil Works.

DEFENSE

Assistant Secretary of Defense for International Security Policy—**Frank J. Gaffney** was deputy assistant secretary of defense, Nuclear Forces and Arms Control Policy.

HUD

Undersecretary of Housing and Urban Development—**Carl D. Covitz** has been president of Landmark Communities Inc. in Beverly Hills, California.

JUSTICE

Assistant Attorney General, Antitrust Division—**Charles F. Rule** has been acting assistant attorney general.

AGENCIES AND COMMISSIONS

Librarian of Congress—**James H. Billington** has been director of the Woodrow Wilson International Center for Scholars.

Director, Agency for International Development—**M. Alan Woods** has been deputy U.S. Trade Representitive.

Out

WHITE HOUSE

Deputy Special Counselor to the President—**Charles N. Browner**.

Associate Director for Economic Policy, Office of Management and Budget—**Kathryn Eickoff**.

TRANSPORTATION

Administrator, Urban Mass Transit Administration—**Ralph Stanley**.

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THE NRA IS RIGHT

But we still need to ban handguns

by Josh Sugarmann

One tenet of the National Rifle Association's faith has always been that handgun controls do little to stop criminals from obtaining handguns. For once, the NRA is right and America's leading handgun control organization is wrong. Criminals don't buy handguns in gun stores. That's why they're criminals. But it isn't criminals who are killing most of the 20,000 to 22,000 people who die from handguns each year. We are.

This is an ugly truth for a country that thinks of handgun violence as a "crime" issue and believes that it's somehow possible to separate "good" handguns (those in our hands for self-defense) from "bad" handguns (those in the hands of criminals).

Contrary to popular perception, the most prevalent form of handgun death in America isn't murder but suicide. Of the handgun deaths that occur each year, approximately 12,000 are suicides. An additional 1,000 fatalities are accidents. And of the 9,000 handgun deaths classified as murders, most are not caused by predatory strangers. Handgun violence is usually the result of people being angry, drunk, careless, or depressed—who just happen to have a handgun around. In all, fewer than 10 percent of handgun deaths are felony-related.

Though handgun availability is not a crime issue, it does represent a major public health threat. Handguns are the number one weapon for both murder and suicide and are second only to auto accidents as the leading cause of death due to injury. Of course there are other ways of committing suicide or crimes of passion. But no means is more lethal, effective, or handy. That's why the NRA is ultimately wrong. As several public health organizations have noted, the best way to curb a public health problem is through prevention—in this case, the banning of all handguns from civilian hands.

The enemy is us

For most who attempt suicide, the will to die lasts only briefly. Only one out of every ten people attempting suicide is going to kill himself no matter what. The success or failure of an attempt

Josh Sugarmann is a New York writer and is working on a book on the handgun control movement. From 1984 to 1986 he was communications director of the National Coalition to Ban Handguns.

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depends primarily on the lethality of the means. Pills, razor blades, and gas aren't guaranteed killers, and they take time. Handguns, however, lend themselves well to spontaneity. Consider that although women try to kill themselves four times as often as men, men succeed three to four times as often. For one reason: women use pills or less lethal means; men use handguns. This balance is shifting, however, as more women own or have access to handguns. Between 1970 and 1978 the suicide rate for young women rose 50 percent, primarily due to increased use of handguns.

Of course, there is no way to lock society's cupboard and prevent every distraught soul from injuring him or herself. Still, there are ways we can promote public safety without becoming a nation of nannies. England, for instance, curbed suicide by replacing its most common means of committing suicide—coal stove gas—with less toxic natural gas. Fifteen years after the switch, studies found that suicide rates had dropped and remained low, even though the number of suicide *attempts* had increased. "High suicide rates seem to occur where highly lethal suicidal methods are not only available, but also where they are culturally acceptable," writes Dr. Robert Markush of the University of Alabama, who has studied the use of handguns in suicide.

Coroner's report—
Dallas, N.C. 10/8/82:
This woman was at her mobile home with two small babies. She had taken a pistol (old western type) from off the refrigerator top. In handling the old gun, it discharged the bullet hitting the young mother in the abdomen. On arrival at the ER, it was first thought the woman had tried to kill herself. When asked why she shot herself she said, she was not trying to kill herself, that she had two small babies at home to care for. She died on the OR table at 12:23 a.m.

Most murders aren't crime-related, but are the result of arguments between friends and among families. In 1985, 59 percent of all murders were committed by people known to the victim. Only 15 percent were committed by strangers, and only 18 percent were the result of felonious activity. As the FBI admits every year in its *Uniform Crime Reports*, "murder is a societal problem over which law enforcement has little or no control." The FBI doesn't publish separate statistics on who's killing whom with handguns, but it is assumed that what is true of all murders is true of handgun murders.

Controlling the vector

Recognizing that eliminating a disease requires prevention, not treatment, health professionals have been in the forefront of those calling for a national ban on handguns. In 1981, the Surgeon General's Select Panel for the Promotion of Child Health traced the "epidemic of deaths and injuries among children and youth" to handguns, and called for "nothing short of a total ban." It is estimated that on average, one child dies from handgun wounds each day. Between 1961 and 1981, according to the American Association of Suicidology, the suicide rate for 15- to 24-year-olds increased 150 percent. The report linked the rise in murders and suicides among the young to the increased use of firearms—primarily handguns. In a 1985 report, the Surgeon General's Workshop on Violence and Public Health recommended "a complete and universal ban on the sale, manufacture, importation, and possession of handguns (except for authorized police and military personnel)."

Not surprisingly, the American Public Health Association, the American Association of Suicidology, and the American Psychiatric Association, are three of the 31 national organizations that are members of National Coalition to Ban Handguns (NCBH).

Comparing the relationship between handguns and violence to mosquitos and malaria, Stephen P. Teret, co-director of the Johns Hopkins Injury Prevention Center, says, "As public health professionals, if we are faced with a disease that is carried by some type of vehicle/vector like a mosquito, our initial response would be to control the vector. There's no reason why if the vehicle/vector is a handgun, we should not be interested in controlling the handgun."

The NRA refers to handgun suicides, acciden-

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tal killings, and murders by acquaintances as "the price of freedom." It believes that handguns right enough wrongs, stop enough crimes, and kill enough criminals to justify these deaths. But even the NRA has admitted that there is no "adequate measure that more lives are saved by arms in good hands than are lost by arms in evil hands." Again, the NRA is right.

A 1985 NCBH study found that a handgun is 118 times more likely to be used in a suicide, murder, or fatal accident than to kill a criminal. Between 1981 and 1983, nearly 69,000 Americans lost their lives to handguns. During that same period there were only 583 justifiable homicides reported to the FBI, in which someone used a handgun to kill a stranger—a burglar, rapist, or other criminal. In 1982, 19 states reported to the FBI that not once did a private citizen use a handgun to kill a criminal. Five states reported that more than 130 citizens were murdered with handguns for each time a handgun was justifiably used to kill a criminal. In no state did the number of self-defense homicides approach the murder toll. Last year, a study published in the *New England Journal of Medicine* analyzing gun use in the home over a six-year period in the Seattle, Washington area, found that for every time a firearm was used to kill an intruder in self-defense, 198 lives ended in murders, suicides, or accidents. Handguns were used in more than 70 percent of those deaths.

Although handguns are rarely used to kill criminals, an obvious question remains: How often are they used merely to wound or scare away intruders? No reliable statistics are available, but most police officials agree that in a criminal confrontation on the street, the handgun-toting civilian is far more likely to be killed or lose his handgun to a criminal than successfully use the weapon in self-defense. "Beyond any doubt, thousands more lives are lost every year because of the proliferation of handguns than are saved," says Joseph McNamara, chief of police of San Jose, who has also been police chief in Kansas City, a beat cop in Harlem, and is the author of a book on defense against violent crime. Moreover, most burglaries occur when homes are vacant, so the handgun in the drawer is no deterrent. (It would also probably be the first item stolen.)

Faced with facts like these, anti-control advocates often turn to the argument of last resort: the Second Amendment. But the historic 1981 Morton Grove, Illinois, ban on handgun sale and possession exploded that rationale. In 1983, the U.S. Supreme Court let stand a lower court ruling that stated, "Because the possession of handguns is not part of the right to keep and bear arms, [the Morton Grove ordinance] does not violate the Second Amendment."

Criminal equivocation

Unfortunately, powerful as the NRA is, it has received additional help from the leading handgun control group. Handgun Control Inc. (HCI) has helped the handgun lobby by setting up the perfect strawman for the NRA to shoot down. "Keep handguns out of the wrong hands," HCI says. "By making it more difficult for criminals, drug addicts, etc., to get handguns, and by en-

Coroner's report—
Durham, N.C., 9/17/83:
Nine-year-old black male (Dave*) went to friend's house to play. Tim's parents not home; babysitter present upstairs. Dave and Tim were apparently "playing gun" when Dave was shot in the head. Tim initially stated that Dave shot himself; later admitted to his father that he (Tim) had placed a single bullet in a gun, and later pulled trigger, but thought that he had removed bullet, and did not recall pointing gun at Dave. Bullet entered R frontal area, exited L temporal area, passed through closet door, and lodged in garments in closet. Dave taken to ER, awake, responsive, but blood and brain exuding from exit wound. Suffered cardiac arrest. Resuscitative measures continued for 45 minutes, unsuccessful.

These names have been changed.

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suring that law-abiding citizens know how to maintain their handguns, we can reduce handgun violence," it promises. Like those in the NRA, HCI chairman Nelson T. "Pete" Shields "firmly believe(s) in the right of law-abiding citizens to possess handguns...for legitimate purposes."

In its attempt to paint handgun violence solely as a crime issue, HCI goes so far as to sometimes ignore the weapon's non-crime death tally. In its most recent poster comparing the handgun murder toll in the U.S. with that of nations with strict handgun laws, HCI states: "In 1983, handguns killed 35 people in Japan, 8 in Great Britain, 27 in Switzerland, 6 in Canada, 7 in Sweden, 10 in Australia, and 9,014 in the United States." Handguns *killed* a lot more than that in the United States. About 13,000 suicides and accidents more.

HCI endorses a ban only on short-barrelled handguns (the preferred weapon of criminals). It advocates mandatory safety training, a waiting period during which a background check can be run on a purchaser, and a license to carry a handgun, with mandatory sentencing for violators. It also endorses mandatory sentencing for the use of a handgun in a crime. According to HCI communications director Barbara Lautman, together these measures would "attack pretty much the heart of the problem."

Coroner's report—
Henderson County, N.C., 8/25/83:
Victim accused wife of "having an affair" and stated to her, "I am going to put a stop to it all." Victim went into his bedroom alone. Wife heard a shot and found victim lying on his back on his bed. .38 cal. Colt revolver on floor with one spent round. Transported to ER, expired two hours later.

HCI appears to have arrived at its crime focus by taking polls. In his 1981 book, *Guns Don't Die—People Do*, Shields points out that the majority of Americans don't favor a ban on handguns. "What they do want, however, is a set of strict laws to control the easy access to handguns by the criminal and the violence prone—*as long as those controls don't jeopardize the perceived right of law-abiding citizens to buy and own handguns for self defense* [italics his]." Shields admits "this is not based on any naive hope that criminals will obey such laws. Rather, it is based on the willingness of the rest of us to be responsible and accountable citizens, and the knowledge that to the degree we are, we make it more difficult for the criminal to get a handgun." This wasn't always HCI's stand. Founded in 1974 as the National Council to Control Handguns, HCI originally called a ban on private handgun possession the "most effective" solution to reducing violent crime rapidly and was at one time a member of NCBH. Michael Beard, president of NCBH, maintains that HCI's focus on crime "started with a public relations concern. Some people in the movement felt Americans were worried about crime, and that was one way to approach the problem. That's the problem when you use public opinion polls to tell you what your position's going to be. And I think a lot of the handgun control movement has looked at whatever's hot at the time and tried to latch onto that, rather than sticking to the basic message that there is a relationship between the availability of handguns and the handgun violence in our society.... Ultimately, nothing short of taking the product off the market is really going to have an effect on the problem."

HCI's cops and robbers emphasis has been endlessly frustrating to many in the anti-handgun movement. HCI would offer handgun control as a solution to crime, and the NRA would effectively rebut their arguments with the commonsensical observation that criminals are not likely to obey such laws. I can't help but think that HCI's refusal to abandon the crime argument has harmed the longterm progress of the movement.

Saturated dresser drawers

In a nation with 40 million handguns—where anyone who wants one can get one—it's time to face a chilling fact. We're way past the point where registration, licensing, safety training, waiting periods, or mandatory sentencing are going to have much effect. Each of these measures may save some lives or help catch a few criminals, but none—by itself or taken together—will stop the vast majority of handgun suicides or murders.

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A "controlled" handgun kills just as effectively as an "uncontrolled" one.

Most control recommendations merely perpetuate the myth that with proper care a handgun can be as safe a tool as any other. Nothing could be further from the truth. A handgun is not a blender.

Those advocating a step-by-step process insist that a ban would be too radical and therefore unacceptable to Congress and the public. A hard-core 40 percent of the American public has always endorsed banning handguns. Many will also undoubtedly argue that any control measure—no matter how ill-conceived or ineffective—would be a good first step. But after more than a decade, the other foot hasn't followed.

In other areas of firearms control there has been increasing recognition that bans are the most effective solution. The only two federal measures passed since the Gun Control Act of 1968 have been bans. In each case, the reasoning was simple: the harm done by these objects outweighed any possible benefit they brought to society. In 1986, Congress banned certain types of armor-piercing "cop-killer" bullets. There was also a silver lining to last year's NRA-McClure-Volkmer handgun "decontrol" bill, which weakened the already lax Gun Control Act of 1968, making it legal, for instance, for people to transport unloaded, "not readily accessible" handguns interstate. A last-minute amendment added by pro-control forces banned the future production and sale of machine guns for civilian use.

Unfortunately, no law has addressed the major public health problem. Few suicides, accidental killings, or acquaintance murders are the result of cop-killer bullets or machine guns.

Outlawing handguns would in no way be a panacea. Even if handgun production stopped tomorrow, millions would remain in the dresser drawers of America's bedrooms—and many of them would probably stay there. Contrary to NRA fantasies, black-booted fascists would not be kicking down doors searching for handguns. Moreover, the absolute last segment of society to be affected by any measure would be criminals. The black market that has fed off the legal sale of handguns would continue for a long while. But by ending new handgun production, the availability of illegal handguns can only decrease.

Of course, someone who truly wants to kill himself can find another way. A handgun ban would not affect millions of rifles and shotguns. But experience shows that no weapon provides the combination of lethality and convenience that a handgun does. Handguns represent only 30 percent of all the guns out there but are responsible for 90 percent of firearms misuse. Most people who commit suicide with a firearm use a handgun. At minimum, a handgun ban would prevent the escalation of killings in segments of society that have not yet been saturated by handgun manufacturers. Further increases in suicides among women, for example, might be curtailed.

But the final solution lies in changing the way handguns and handgun violence are viewed by society. Public health campaigns have changed the way Americans look at cigarette smoking and drunk driving and can do the same for handguns.

For the past 12 years, many in the handgun control movement have confined their debate to what the public supposedly wants and expects to hear—not to reality. The handgun must be seen for what it is, not what we'd like it to be. ■

Coroner's report—
Gastonia, N.C., 4/18/83:
Interview by police with family—they stated: that they had just returned from eating at a fish restaurant—that the deceased had been drinking—and was somewhat intoxicated. There was some talk about the deceased getting upset at his brother about calling his sister-in-law—the two were separated and the deceased felt "like she was doing his brother wrong." This subsided when the father and brother of the deceased went out to move truck. Shot heard: They went in and found him in the bed shot in the chest. (.357 magnum pistol.) The bullet went into the chest and exited the back and struck the wall behind the bed.

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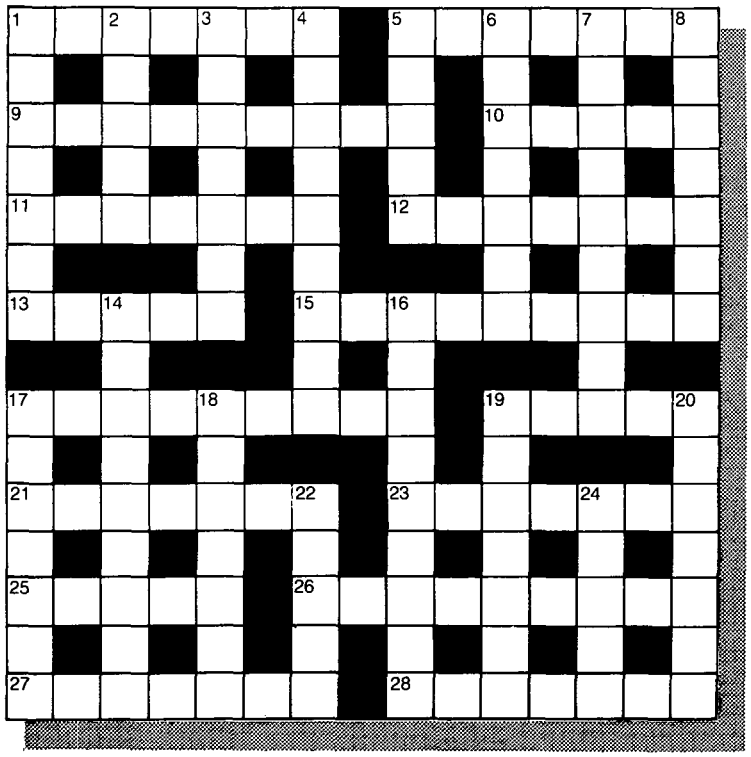
POLITICAL PUZZLE

by John Barclay

The numbers indicate the number of letters and words, e.g., (2, 3) means a two-letter word followed by a three-letter word. Groups of letters, e.g., USA, are treated as one word.



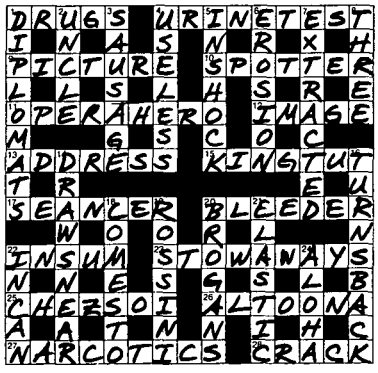
ACROSS

1. Art returns in studies of rebels. (7)
5. Arrange one swap for aid to 1 across. (7)
9. Floundering swabs sink in laundering aid. (5, 4)
10. Put up the following in French town. (5)
11. Improperly detains alternative. (7)
12. Shadings result from sun coming back around chopped cane. (7)
13. Lakes or grandmothers, kind of. (5)
15. Those who oppose change in Ross rites. (9)
17. Tossing postscript around indicators. (9)
19. Placing Elisabeth's start for wedding path. (5)
21. Setting screen around first of twins starts play. (7)
23. Take off, rest uneasily for initiatives. (7)
25. Symptom in reversed emaciation. (5)
26. Try to inter? (9)
27. Artificial nets did make larger. (7)
28. Impair mixture, dart, etc. (7)

DOWN

1. 100 giants performed movie task. (7)
2. Hits escargot tail first. (5)
3. Sceptre commanded awe. (7)
4. Oil and time, for example. (9)
5. Alert part of New Jersey comes up around Alaska. (5)
6. Mid-East leader's kin produce one. (7)
7. Acting like a bureaucrat spoiled 99 notes. (9)
8. Pigs are loaded in ship. (7)
14. Train leaders who have seen reign disintegrating. (9)
16. Mysterious deeds spun in the air. (9)
17. Follow with deuces wild in middle of packs. (7)
18. Made cleric around 50, repeat informally. (7)
19. Starting with frats it could have been different. (7)
20. Artful tease is most lenient. (7)
22. Healthy waters? (5)
24. Modified tiara used on S.A. ranch. (5)

Answers to last month's puzzle:



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WHIP ME, BEAT ME AND WHILE YOU'RE AT IT CANCEL MY N.O.W. MEMBERSHIP

Feminists war against each other over pornography

"The anti-pornography campaign doesn't want to hear about pleasure and what turns us on," Paula Webster, a feminist writer, defiantly told the feminists at the 1985 "Women and the Law" conference. Webster was representing the "pro-sex" side of the feminist debate over pornography and politically correct sex. "Something cold, mean, and unforgiving is being shoved down my throat by steely-eyed women who transmit a feeling of hysteria." Portions of the audience that was packed into the room hissed and booed. "This campaign may really be a symbolic castration of men," she continued to more hissing.

When Webster finished, Dorchen Leidholdt, co-founder of Women Against Pornography, took the microphone. "We're not anti-sex," she insisted. Then she launched into a blistering tirade against Webster and the pro-sexers. "The pro-sexers aren't feminists, but sexual liberationists. They support sexual oppression of women." Their support for anything from sex with children to pornography showed they'd been brainwashed by the sick male view of sexuality, she argued. To prove her point, Leidholdt recited some of the more outrageous comments from pro-sexers who attended a workshop a few years earlier on "erotic taboos" that was chaired by Webster: "I want to sleep with young girls.... I want to rape a woman.... I want to be fucked every which way." Leidholdt thundered, "Where do these sadistic fantasies come from? We must look to the culture in which they develop. In this system, denigration *is* sexual pleasure." She was greeted by the strongest applause of the day.

Art Levine and Kathleen Currie are Washington writers.

Spurred by the growing acceptance of the anti-porn campaign, fueled by the Meese Commission Report on pornography, the Great Sex Wars engage the best and brightest of radical feminists in an intellectuals' version of mud-wrestling. The two sides of the fight are now going at each other with an intensity not seen since the Stalinists and Trotskyists hurled pamphlets in the thirties. The anti-pornography activists believe their feminist critics front for pimps and pornographers, as well as champion "politically incorrect" sex. The pro-sex group derides the anti-porners as "sex cops" who threaten sexual minorities and free expression. Each accuses the other of betraying the credos of feminism. The debate is taken so seriously that both sides have taken to picketing each other's meetings, passing resolutions and signing petitions condemning one another, and fighting each other in the courts and at legislative hearings.

There's genuine merit at the core of each side's concerns—the degrading impact of pornography on women on the one hand, and the threat to personal freedom and free expression on the other—but it has been all but swamped by the overblown rhetoric, obsessions, and kooky agendas of both factions.

Porn safaris

Those in the anti-pornography camp contend that pornography is part of an "ideology of cultural sadism" that promotes violence against women, particularly rape, by casting women as sex objects to be degraded. But these feminists' views of degradation can be very broad, sometimes including heterosexual intercourse,

by Art Levine and Kathleen Currie

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which has been defined by Women Against Pornography as "intimate imperialism."

This spring, feminist author and anti-pornography activist Andrea Dworkin published two new books calling for the abolition of not just pornographic displays of intercourse—but of intercourse itself. A 257-page meditation on the subject, *Intercourse*, condemns coitus and those who practice it, especially women. Women who claim to enjoy that act are labeled "collaborators, more base in their collaboration than other collaborators have ever been: experiencing pleasure in their own inferiority; calling intercourse freedom." Dworkin's other book, *Ice and Fire*, is a novel whose only sympathetic male character cannot produce an erection.

Many of these anti-porn activists have focused on raising the consciousness of women about the dangers pornography poses to their dignity and safety. In addition to writing books, their activism includes picketing against red-light districts. Last year in Washington D.C., for example, 15 young women and a few male companions were guided on a tour of this nether world by Feminists Against Pornography, one of several such safaris the group conducts each year. Marty Langelan, an economist with the federal government, led the group down the capital's 14th Street and into its bookstores. Notebooks in hand, they wrote down the titles of cheap paperbacks and magazines: *Journey of Lust*, *Hot Librarian*, *100 Pregnant Misses*. One woman picked up a book with a crude sketch of a naked woman embracing a teen-age boy. "That's disgusting," she said, returning it to the shelf.

Like the Reagan administration, the anti-porners don't confine their efforts to public education. They have pushed their case before city councils and in the courts—a strategy that has created some strange alliances. In Indianapolis in 1984, feminist activists drafted a "civil rights" anti-porn ordinance defining pornography as a form of sexual discrimination that "subordinates" women. Beulah Coughenour, an anti-ERA legislator, led the fight, and Phyllis Schlafly endorsed it. The local National Organization for Women chapter opposed it. The ordinance, which stirred plenty of feminist infighting elsewhere, was struck down last year when the Supreme Court refused to review it. Variations of this law were proposed and nearly passed in several other cities. In Minneapolis, an ordinance passed the city council twice but was vetoed by the mayor. In Los Angeles, where similar legislation was fought by leaders of the Feminist Women's Health Center and the U.S. Prostitutes Collective, it was defeated by one vote.

The anti-porners likened the Supreme Court decision to the Dred Scott ruling upholding slavery. Amy Elman, a Women Against Pornography coordinator, said, "It shows that men treasure their right to orgasm over the pain and humiliation of women." Some went even further, openly scorning the First Amendment. Catherine MacKinnon, co-author of the ordinance, told us bluntly, "The bottom line of the First Amendment is that porn stays. Our bottom line is that porn goes." She added, "We're going to win in the long term." To that end, they're planning to introduce a revised version of the original bill.

Kinky fringes

In reaction to the passage of the Indianapolis ordinance, a number of feminist academics and activists formed the Feminists Against Censorship Taskforce (FACT). They were angered that the ordinance, among other things, allowed women to sue for several types of alleged harm, including the presentation of women as "whores by nature" or in "postures of sexual submission, servility, or display." This, they contended, was broad enough that it could have been used to ban Henry Miller's books or Erica Jong's *Fear of Flying*, along with *Black Bun Busters* and *Tri-Sexual Lust*, cited as offensive by the Meese Commission. The pro-sexers argued that the ordinance could be used against feminist and lesbian sex materials. They also argued that the whole anti-porn campaign promoted a traditional view of women as helpless, and that the anti-porners were allying themselves with the most anti-feminist, conservative forces in the country. That persuaded such feminist stars as Rita Mae Brown,

Two hundred women showed up at an off-campus speak-out on "politically correct sex" hosted by the Lesbian Sex Mafia.

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Women who claim to enjoy the act of sexual intercourse are labeled "collaborators."

Betty Friedan, and Kate Millett to join as signatories of FACT's *amici curiae* brief opposing the ordinance.

Obscured in all this reasonableness, however, was the alliance of some FACT members and their allies with the kinkier fringes of lesbianism: the sadomasochists and pedophiles.

In 1983, for instance, 150 pro-sexers signed a petition defending these sexual minorities as "people making tentative forays into new realms of experience." This faction has become a key component of the pro-sex coalition. The most heated attacks on anti-pornography groups like New York's Women Against Pornography came in the early eighties from a band of lesbian sadomasochists who saw themselves as sexual freedom fighters pitted against the prudish, repressive anti-porners. In one opening salvo, Pat Califia, co-founder of Samois, a pro-S&M group, denounced the anti-porners as "the new puritans" who were "siding with fascism."

Some feminists don't like the leather-and-whip contingent marching under the women's rights banner, and charge that lesbian S&M is violent and sexist. Califia denies that. "It's an act of mutual pleasuring in a context of respect and consent," she says. "I feel very strongly that simply because I am a sadomasochist, that doesn't mean that I can't be a feminist." Nevertheless, she once wrote that as a sadist, she enjoys "leathersex, bondage, various forms of erotic torture, flagellation, and verbal humiliation." Moreover, some of these pro-sex allies, who euphemistically call sex between adults and children "cross-generational" sex, are sympathetic to the North American Man-Boy Love Association and even argue that current age-of-consent laws are discriminatory and repressive. As Gayle Rubin argued in *Feminist Studies*, "The young should have full rights to have sexual contact with whomever they choose"—presumably a nine-year-old can give informed, uncoerced sexual consent.

Politically correct erotica

The zealotry of both the anti-porners and the pro-sexers have made their clashes particularly bruising. At a 1982 Barnard College conference, "The Scholar and the Feminist: Towards a Politic of Sexuality," the "sexual outlaws," including advocates of sadomasochism and more moderate pro-sexers, tried to rally their troops. Conference workshops focused on such topics as "butch-femme" lesbianism, "politically correct" sex, and "concepts for a radical politic of sex," the last offered by a lesbian masochist anthropologist. Two hundred women showed up at an off-campus speak-out on "politically incorrect" sex hosted by the Lesbian Sex Mafia, a support group for lesbians with unusual sexual tastes. Brandishing the devices and symbols of lesbian S&M—from cut-out leather pants to nipple clamps to studded neck and wrist straps—members of the crowd attacked the anti-porners who viewed them as traitors to feminism for aping the worst aspects of patriarchal sexuality. "We're feminist because we're tired of having men tell us how we should feel and be sexual," said one woman, as she defiantly waved a strap-on dildo. "Now women are telling us. What's the difference?"

These sorts of activities brought out the anti-porn vigilantes. They protested to the Barnard administration and leafletted on campus, attacking the conference organizers and speakers for promoting sadomasochism, unorthodox lesbian sex roles, sexual abuse of children, and pornography. "They're advocating the same kind of patriarchal sexuality that flourishes in our culture's mainstream, that is channeled into crimes of sexual violence against women, and that is institutionalized in pornography," their leaflet said. It went on to give intimate details of the fondness of some of the speakers and their groups for acts ranging from flagellation to dressing up as Nazis during sex.

Not surprisingly, the leaflet infuriated the backers of the conference. They charged it distorted their political views, smeared individuals' personal lives, and smacked of fifties-style red-baiting. They responded with their own petition: "Feminist discussion about sexuality cannot be carried on if one segment of the feminist movement uses McCarthyite tactics to silence other voices."

The confrontations elsewhere have been just

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as vituperative. In a fight over an anti-porn referendum in Cambridge, Massachusetts in 1985, Catherine MacKinnon lumped her pro-sex opponents in with "pimps and pornographers," calling them "house niggers who sided with the masters." (The referendum lost, but garnered 42 percent of the vote.) Andrea Dworkin, co-author of the Indianapolis ordinance, repeated her charge of collaboration. She says the pro-sexers are being used by men who own publications like *The Village Voice*. Their goal, she says, is to return to the halcyon days of the sixties when "women were available to men at all times for anything." Her feminist credentials challenged, Ellen Willis, a *Voice* writer, furiously demanded of such critics: "Who are you to decide I don't belong in a movement I've helped create?"

More mainstream feminist leaders are now taking sides in the battle. Last year NOW endorsed key elements of the Meese Commission report. The commission found, among other things, that there is a causal link between violent and "degrading" pornography and violence towards women. NOW's current position reflects much of the anti-porn view: "NOW believes that pornography violates the civil rights of women and children.... NOW supports the recommendation that legislatures should consider legislation recognizing civil remedies for harm directly attributable to pornography."

Dorchen Leidholdt said of the report, "We commend the commission for being the first federal government body to report on the systematic campaign of abuse, terror, and discrimination being waged against over half the citizens of this country." Nan Hunter, an American Civil Liberties Union lawyer and FACT co-founder, denounced the report for condescending protectionism that "ultimately harms women," and charged that when the Meese Commission said "pornography degrades women, they mean that sexually explicit materials encourage premarital sex, birth control, abortion, oral sexuality, homosexuality, and teenage sexuality, which they would like to eradicate." The anti-porners did try to distance themselves from the New Right by saying they opposed the commission's sex-is-dirty emphasis on stepped-up obscenity prosecutions. They want to ban the sale of "sexist" material only, they claim, not all smut, and favor an ill-defined "erotica" marked by egalitarianism and mutual respect.

The bitter attacks and counterattacks have not abated—and aren't likely to anytime soon. In February, FACT published a major broadside aimed at the anti-porners that featured footnoted essays celebrating female sexual expression and opposing censorship, all liberally spiced with photos of leather-bound masochists and lesbian and gay sex that seem calculated to drive the anti-porners into a rage. "The [Women Against Pornography] people are, wittingly or unwittingly, playing into a conservative clamp down on women's liberation," argues Barbara O'Dair, one of the book's editors. When it comes to pornography, she says, "what one woman abhors, another enjoys." In April, over 1,000 people attended Women Against Pornography's conference on "The Sexual Liberals and the Attack on Feminism," at New York University. The overflowing crowd gave its rapt attention to an anti-porn statement from Gloria Steinem, read by her co-editor at *Ms.*, Letty Pogrebin. But the most rousing address came from Catherine MacKinnon who reiterated her opposition to FACT and the free-porn movement. Typically, she likened them to traitors. "The labor movement had its scabs, the slavery movement had its Uncle Toms," she said, "and the women's movement has FACT."

Porn pandemonium

This sort of heat is typical of the porn debate. At the 1985 National Women and the Law Conference in New York, for instance, MacKinnon and Hunter pulled no punches before a packed ballroom.

"What happens if a woman says to a man, 'fuck me'?" Hunter asked, referring to the anti-porn ordinance, which prohibited "sexually explicit subordination."

"Is that submission? Is that begging, or is it demanding? Is she submitting, or is she in control?" Hunter then calmly analyzed the dangers of the anti-porn efforts to feminism. At one point she said, "Under this law, the new feminist erotica that is starting to come out would be gone. Publications, primarily lesbian, like *On Our Backs* and *Bad Attitude* get attacked."

"Booo!" shouted the anti-porners in the audience.

"You're damned right!" one woman screamed.

Hunter paused. "Look further into the language of the ordinance," she continued, pointing to a section that barred presenting women as sex objects who are hurt or tied-up. "Now that sounds pretty horrible, but think about it for a minute. Do you really think that 'tied-up' necessarily belongs there?"

"Yes!" the anti-porners shouted back.

Hunter appeared momentarily shaken by the

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vehemence of their response. "There are other people in this room who do not find it to be subordinating," she said. Then she warned, "We are going to be fighting against each other in court over the meaning of sexually explicit subordination, and I suggest this is a disaster." She received polite applause.

MacKinnon then dismissed the legal reasoning of Hunter and other opponents of the anti-porn legislation. "Why don't women lawyers act as though they give a damn?" she demanded angrily. "Why are women lawyers who identify as feminists trying to make sure that women are not going to matter?" Most of the audience cheered. MacKinnon derided Hunter as "speaking for the pornographers" and masquerading as a feminist. There was a thunder of approval. More than 20 women then trooped to the podium to call out their differences to the still-riveted crowd. At one point, a black woman law student and a white incest victim confronted each other. "If one iota of the intensity of this debate had gone into outlawing poverty in this society, maybe we'd be getting somewhere," said the law student. "To put these [anti-porn] laws on the books is such a diversion away from bread and justice and real empowerment."

"If women and minorities are really empowered in our society, you will see a change, you will not see pornography," she continued. "But, no, you want to attack a goddamn *symptom*! Where are we going here? This is dividing a community. I couldn't go anywhere else today because finally I was sucked into this debate."

"Is it not worth it?" demanded the incest victim, who was now crying.

"No, it is not worth it!" the student yelled. "Hundreds of thousands of people are dying!"

"And 100,000 missing children are taken off the streets for the use of sex and to be photographed!" cried the incest victim.

"You give women the power they need and that won't happen," the law student shouted back. "You give women the support they need for raising their children and that won't happen!"

A former prostitute joined the argument with the law student. The crowd applauded eagerly. Then, all over the room, the different factions began screaming at one another about porn and rape, bad feminists and lesbian erotica, *The Village Voice* and Jerry Falwell, their angry words barely distinguishable above the roar. ■

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MEMO OF THE MONTH

U.S. Department of Labor

Office of Administrative Appeals
Washington, D.C. 20210

MAR 3 1987

MEMO TO STAFF

FROM : Liz

SUBJECT: Change in format for memoranda accompanying proposed orders and decisions.

The Solicitor (or at least one member of his staff) has, on cases being reviewed by his office, been deleting the periods at the end of the title of each document designated as an attachment.

In order to avoid confusion as to which memos shall contain periods and which shall not, I have decided that periods should be elimated on all memos, effective immediately.

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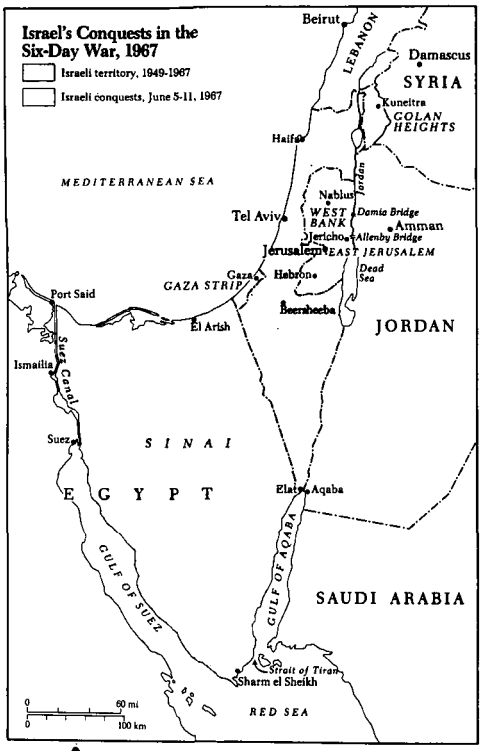

They've beaten the Arabs, so what's plaguing Israel?

THE KISSINGER COVENANT AND OTHER REASONS ISRAEL IS IN TROUBLE

by Milton Viorst

At dawn on June 5, 1967, the Israeli air force swooped down in a surprise attack on Egyptian air bases. Israel's plan was to go first after Egypt, its most formidable enemy, while urging King Hussein to keep Jordan out of the fight. Within hours, Israel had knocked out Gamal Abdel Nasser's entire air force, effectively settling the contest. Over the next few days, Egypt's army, operating without cover, was decimated by Israel's air and ground forces.

Notwithstanding Israel's appeal, Hussein joined the war, unaware that the outcome had been determined before his forces fired a shot. When Jordanian artillery shelled Jerusalem and Tel Aviv, Israel struck. In a three-day offensive, it captured the Old City of Jerusalem, destroyed Jordan's army and occupied the entire West Bank. Before the last battle against Jordan was fought, the Israelis turned on the Syrians, who appeared impregnable in their bastion on the Golan Heights. In the most brilliant military exploit of all, the Israelis stormed the Heights, and by the end of the week, Syria, too, was defeated.

In fighting both on land and in the air, Israel had demonstrated its superiority over the combined power of its Arab neighbors. It ended the war occupying territory more than three times its size. It was in possession of what its generals called "strategic depth," with a defensive perimeter that included Egypt's Sinai peninsula and Gaza Strip, Syria's Golan Heights, and Jordan's West Bank. Israel, which had appeared outmatched in 1948 and again on the eve of the Six-Day War, had suddenly become invulnerable to the full power of the Arab world.

Like every Jew in my circle of friends, like every member of the worldwide community of Jews, I exulted at Israel's victory in 1967. It was a triumph that made us all feel better about ourselves. We stopped having to apologize for being weak, for being dependent, for being Jews. We were winners at last, after two thousand years of losing, and whatever concerns about Israel I have since acquired, that feeling of joy has remained. The issue since the Six-Day War—as it has been debated both in Israel and in countries friendly to Israel—is not a strong state versus a weak one. The issue is whether Israel can bring itself to use its power prudently and wisely.

In retrospect, it is clear the Six-Day War transformed Israel in ways that went far beyond the simple question of security. It resulted in gains for the winner too huge to be digested, costs to the losers too embarrassing to confront. From the shattered fragments of the conflicts emerged a

From the book Sands of Sorrow: Israel's Journey from Independence, *by Milton Viorst. Copyright © 1987 by Milton Viorst. Reprinted by permission of Harper & Row, Publishers, Inc.*

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structure of relations among the nations of the Middle East dominated by Israel's military power, hardly healthier for the victor than for the vanquished.

The war dramatically changed the internal dynamics of Israeli politics and culture. It was only after the Six-Day War that the relationship between Ashkenazim (Jews of European origin) and Sephardim (Jews mostly from the Middle East) exploded into open struggle. The war created a new geographical reality on Israel's borders and established a new psychological reality at home, sharply intensifying the competition among diverse cultural groups and leading to the dominance of the Israeli right-wing. In their own land Jews, who take pride in no longer having to be fearful and servile in dealing with anyone, have created a social structure that demands that Arabs be fearful and servile in dealing with them.

The war has also radically changed how Israel relates to its neighbors. In creating a powerful army, Israel has freed the Jews of the age-old torment of impotence, imparting to them a sense of mastery over their future. But in doing so, it has failed to grasp the limits of what armed might can achieve. Israel had persuaded itself that, given the shift in the strategic balance in the Middle East, the Arabs had the only advantage in reaching an overall peace settlement. Israel has come to rely on guns, so unfamiliar in the Jewish past and so suddenly acquired, to solve problems that are only peripherally military. The cockiness was reinforced by an American policy, codified in a pact devised by Henry Kissinger that virtually guaranteed whatever arms and assistance Israel requested. The result has been that while Israel is now strong enough to repel its neighbors, it is also strong enough to turn its back on the peace process. Ironically, Israel's military domination—supported by its increasing conservatism—only makes it more difficult to achieve peace in the Middle East.

Evening scores

When the Six-Day War was over, the Israelis found themselves ruling more than 1.2 million Arabs who lived in the West Bank and the Gaza Strip. Conflict between Israelis and the residents of the occupied lands was inevitable. But the presence of the new Arab population also exacerbated the bitter ideological quarrels between the Ashkenazim and Sephardim.

"Ashkenazim" was a term first applied to German Jews, and over centuries came to designate all Jews exposed to the main currents of European culture. "Sephard" was the name originally given to the Jews of Spain that later applied to all Jews influenced by the culture of Islam. It was the Ashkenazim who founded modern Israel, for Zionism was an Ashkenazi political movement. The Jews who settled the new land were for the most part Eastern Europeans, who brought with them ideas current in the world they left behind.

During the many centuries of Diaspora, however, the idea of a return to Zion may have been more deep-seated among the Sephardim. Though rarely persecuted by their moslem neighbors, the Jews of Islam were denied full participation in the economy and society. Then, in the late nineteenth century, with the Ottoman Empire in decline and Arab nationalism on the rise, their position became more precarious. For the first time, European doctrines of anti-Semitism circulated in the Arab world.

In its first months of independence, Israel welcomed more than 300,000 European Jews, survivors of Nazism, but after that the Western influx abated and immigration from the Arab world soared. They came knowing little of Zionism, without political designs, generally impoverished, and poorly educated for modern life. By 1956, Israel's population had been increased threefold by the arrival of Eastern Jews. Though Sephardim were about 15 percent of the Jewish people worldwide, within Israel their ratio grew from barely a fifth at independence to nearly half. With a substantially higher birth rate, by the Six-Day War their ratio had increased to more than a majority.

The Ashkenazi refugees, adapting more easily to Israel's Western ways, made their way to the cities, where they entered trade or industry. There they were quickly absorbed into the middle class. The Sephardim who followed them to the cities tended, in contrast, to became an urban proletariat, living in slums. Those who stayed behind in rural areas clustered in state-constructed "development towns," economically and socially impoverished, a far cry both from the vibrant Arab cities from which they had fled and from the Jewish homeland of their millennial dreams.

In jobs, schools, and the army, the Sephardim saw themselves as victimized by discrimination. As Arab Jews, they were made to feel like foreigners in a Jewish land. Mainstream Zionist leaders, insensitive to their alienation, publicly lamented the prospect of Israel's being "Levantinized" or "Orientalized." They spoke openly of the dangers presented by Sephardi ignorance of democracy and the rule of law. Rather loftily, the

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Thanks to Arab day labor, Sephardim have acquired a vested interest in having Israel keep the occupied territories.

Ashkenazi ruling elite called upon Sephardim to transform themselves into good Israelis, like themselves.

Insofar as the Sephardim might have been called Zionists at all, theirs was a religious, even "Messianic" belief, far from the political and social ideology of the Mainstream. Socialism was remote from their experience. Democracy was little known to them, and the "new" Jew was a goal to which they did not aspire. Family-oriented, they bristled at the challenge to patriarchy, at the pervasiveness of women in the labor market, at the freedom given to children—Western ways they saw threatening their traditions.

In contrast to the ideas the Ashkenazim had brought with them, the Sephardim brought to Israel the Islamic tradition of patriarchal rule and the Koranic view that religion is inseparable from the political structure. To this day, Sephardim have difficulty adapting not only to the Western theories of democracy but to a notion of pluralism, which is essential to stability in a heterogenous state. More disposed than Ashkenazim to a black-and-white vision of politics, they have tended to inject into the everyday contest for power a passion generally associated with the East rather than the West.

At the same time, the Sephardim have drawn the lines more sharply in Israel's struggle with its Arab neighbors. Despite centuries of relative tranquility in the Arab world, they made clear once they arrived that they nursed deep historic grudges. The Ashkenazim, though hardly fond of Arabs, have tended to regard them chiefly as a security problem, within Israel's power to somehow solve. The Sephardim, in contrast, respond to Arabs with emotions that are often raw, angry, intense.

Arabs today often claim to be bewildered by the hatred many Jews feel for them, since for centuries, they say, the two peoples lived in harmony. And it is true that Jews in the Arab world experienced no Inquisition, no pogroms, no Holocaust. But the Jews of the Arab world knew the relentless humiliation of second-class citizenship, and they did not forget it when they reached Israel. Though less angry than Ashkenazim at christianity, they were readier to blame Islam for Israel's woes. They dismissed Ashkenazi concern for the rights of Arabs in a Jewish state as effete European humanism. Israeli opinion polls have shown that nearly half of Sephardim currently sympathize with anti-Arab extremist movements, more than twice the ratio of Ashkenazim. The Six-Day War suddenly presented them with the prospect of evening scores against an old enemy.

Menial labor

The war also provided Sephardim with a new grievance toward Mainstream Zionism. When Israel seized the West Bank and Gaza, overnight thousands of Arabs arrived to join the domestic labor force, and in the years of prosperity that followed, the Arabs took over most of Israel's menial work. Mainstream Zionists were troubled. A tenet of their egalitarian philosophy held that all work was honorable, that there would be no class of serfs, that Jews and not Arabs would perform the drudgery of the Jewish society. But before the war, when it was not the "Jews" but the Sephardim who did most of the dirty work, Mainstream Zionists, whatever their egalitarian commitments, seemed not to notice. As Arabs took over the drudgery after 1967, the Sephardim took better jobs and cheered. The Ashkenazim mourned their lost ideals.

For Mainstream Zionists, the West Bank presented a dilemma. The simple homeland of Zionist dreams had overnight become an empire containing two million Arabs, most of them without political rights. The Mainstream Zionists understood the risk to the Jewishness of Israel that incorporation of the Arabs of the West Bank presented. To refuse those Arabs citizenship would be apartheid. To accommodate them would shift Israel from being a Zionist nation to being a non-Zionist one.

Thanks to Arab day labor, Sephardim have acquired a vested interest in having Israel keep the occupied territories, even though they have little representation in the movements to colonize them. Their reasons are practical: The Arab work force offers an opportunity for upward mobility, and they have little patience with those who proposed to snatch it away by returning the land.

In his *In the Land of Israel*, Amos Oz, an Ashkenazi and a kibbutznik, recorded the words

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of a second-generation Morroccan Jew:

> They [Askenazim] gave us houses, they gave us the dirty work; they gave us education, and they took away our self-respect. What did they bring my parents to Israel for?... Wasn't it to do your dirty work? You didn't have Arabs then, so you needed our parents to do your cleaning and be your servants and your laborers....
>
> Look at my daughter: she works in a bank now, and every evening an Arab comes to clean the building. All you want is to dump her from the bank into some textile factory, or have her wash the floor instead of the Arab. The way my mother used to clean for you.... If for no other reason, we won't let you give back those territories.

David Shipler, who for many years was *The New York Times* correspondent in Jerusalem, notes in his book *Arab and Jew* that Israelis almost never tell jokes that poke fun at their relations with Arabs. But one that he recalled concerned an old Ashkenazi pioneer who took his grandson from the city on a tour of the kibbutz where he had spent his life.

"See that road?" the old man says proudly to the boy. "I built it. See that house? I built it. See that field? I plowed it."

"Oh, Grandpa," the boy says, "Did you used to be an Arab?"

The conflicting perceptions of the Arabs have created an interesting paradox, with important political implications. Mainstream Zionists, claiming no animosity toward Arabs, consider their presence incompatible with a Jewish state, and so have urged the reintroduction of partition. The Sephardim, acknowledging their anti-Arab attitudes, see no injustice in having the large minority of Arabs as a permanent underclass. As the power in Israel has shifted towards the Sephardim, their views have prevailed.

That rise in the power of the Sephardim was fundamental to the growth after the Six-Day War of a new wave of Revisionism—the ultranationalist movement—that was more religious and much more populist than before. The Revisionist leadership remained in the hands of right-wing Ashkenazim of the Menachem Begin model, an elite of basically secular Jews from the old terrorist underground. But it was fortified by the bulk of the Sephardi population that, for the first time, gave these leaders a mass following.

Meanwhile, Orthodox Jews, having suddenly found truth in Revisionist doctrine, supported it with fanaticism, acclaiming the virtue of violence committed in the exercise of God's Commandments. The coalition that came into being positioned the Revisionists to make their first serious bid for political power.

While shifting the balance of votes to the right, the new coalition also changed the rules of combat for the conduct of politics. Israelis had always practiced their democracy vigorously, with heavy doses of hyperbole, even of demagogy. But the new wave of Revisionism introduced into the political arena an element of physical aggressiveness, often passionate, sometimes violent, occasionally lawless.

The promise

At the same time the clash between Sephardim and Ashkenazim was intensifying, Israel's notion of how it would survive outside threats was changing. For several years after the Six-Day War, Arabs and Israelis skirmished verbally and militarily.

Then, on the morning of Yom Kippur 1973, the holiest day of the Jewish year, Sadat sent Egyptian tanks rolling down the ramps on the western edge of the Suez Canal. It had occurred to few Israelis that granting the soldiers leave to go home for the holiday would present a risk. During the first week of battle, the United States watched Israel take a battering, and only barely kept even with the Russians, who were resupplying the Arabs with ammunition and light equipment. The war was into its second week when Israel, strengthened with new American equipment, reversed the tide in the Sinai. On October 14, after the Egyptians had advanced beyond the range of the Surface-to-Air missiles, Israel won a huge battle in the desert. The victory was followed by a crossing of the canal by the redoubtable General Ariel Sharon, a maneuver that threatened to encircle Egypt's Third Army, which was exposed in its bridgehead in the Sinai. During the ensuing days of fighting and dying, the momentum shifted increasingly to Israel. It was only then that the combatants, pressed by their patrons, the United States and the Soviet Union, showed a readiness to stop.

In the negotiations that followed the cease-fire after the Yom Kippur War, Israel sought not just to keep defensible borders, but also to gain a permanent commitment of aid from the United States to guarantee its security.

When Henry Kissinger began his shuttle diplomacy after the war, he was balancing two goals: pressing for concessions from all sides to

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Kissinger's structure tied the U.S. to all decisions Israel made, while imposing on Israel no corresponding requirement to consider American interests.

establish some permanent negotiated settlement, and ensuring Israel came out of the agreement strong enough to act as the U.S. proxy in the area against Soviet threats. The "disengagement" agreement in Egypt went smoothly enough. The negotiations in Syria were more difficult. Golda Meir had resigned as Prime Minister in early April 1974, Yitzak Rabin, the former ambassador to Washington, was on his way in, and, just as important, Richard Nixon was on his way out as president. Nixon, convinced a triumph abroad could save him from the tightening vise of Watergate, repeatedly pressed Kissinger to go on at times when another president might have regarded the negotiations as hopeless.

To put together a deal that included territorial concessions by Israel and Arab agreements of nonaggression, Kissinger had to commit the U.S. to crucial involvement. At the final hour, with the beleaguered Nixon waiting in Washington to make an announcement of a peace agreement that he hoped would turn the nation's attention from Watergate, the Israeli negotiators balked. Faced with a public outcry over the PLO massacre of 24 children in Ma'alot in May, Israel demanded of Syria a pledge to forbid terrorists to cross the Golan into Israel. Hafez Assad's sense of Arab honor prevented him from proclaiming a position that might be construed as truckling to Israel. Neither side was willing to budge.

Kissinger filled the gap with a private letter promising America's approval of any response to terrorism that Israel might choose to make. The letter set no limits. To Israel, the letter constituted a promise that no future president would withhold American economic or military assistance as punishment for antiterrorist reprisals. It committed Washington to support such attacks before the world, most notably at the United Nations. In effect, it imposed a serious new limitation on America's ability to compel restraint within the cycle of violence that so often ran amok in the Arab-Israeli struggle.

Chilly reception

Two weeks after Rabin's accession to office, Richard Nixon arrived from Washington on a grand tour of the Middle East, desperate to rescue his presidency in what were, by now, clearly its dying days. Nixon's fantasy was to establish himself in the public mind as indispensable to peacemaking in the region. He was greeted in Egypt with enthusiasm, in Saudi Arabia with respect, in Syria with cordiality. Only in Israel was he received in chilly fashion.

Though Rabin had often proclaimed indebtedness to Nixon for opening America's depots to Israel and coming to its rescue in two wars, he made clear to the American president his dissatisfaction with current policy. Rabin said candidly he did not want Kissinger to press Israel to make further concessions for peace. He much preferred the old relationship with the U.S., Rabin said, in which Israel was supplied with all the arms it wanted, while sitting on the diplomatic status quo. Nixon, encouraged in the Arab capitals to intensify peacemaking efforts, received from Rabin's new government a sharp signal to slow them down.

Kissinger, however, feared that any slowing down would cost him his strategic objectives, since suspending the shuttle would become an invitation to Egypt and Syria to gravitate back to the Soviet camp. He saw the next logical step on his diplomatic agenda to be a shuttle to Jordan. He reasoned that unless a Jordanian presence, however symbolic, was reestablished on the West Bank, there could be no progress toward a Palestinian settlement, which he now considered fundamental to reaching his goal. Rabin rejected the idea of Jordanian involvement in the West Bank for a number of reasons, not the least of which was that he simply did not see the Palestinian issue as central to the Arab-Israeli conflict.

But Rabin did see in peacemaking a way to fulfill his life's mission of providing Israel with permanent access to the weapons necessary to maintain the Middle East's mightiest army. He reasoned that Kissinger, itching to preside over an American-brokered peace, would pay heavily to get it.

Israel had long relied on a tough, little, standing army, backed by well-prepared reservists, but Rabin decided that was no longer enough. He wanted Israel to approach the Arabs quantitative-

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ly, both in levels of manpower and in weapons. Within months of the Yom Kippur War, Israel's military spending exceeded that of Egypt, Syria, and Jordan combined.

After Nixon resigned, Gerald Ford retained Kissinger, who arrived in Jerusalem in the fall of 1974, proposing a fresh round of shuttle diplomacy. He found Rabin amenable but determined to press a new and major condition. Rabin said Israel would negotiate only with Egypt.

Rabin's decision was based on the perception of Egypt as the preeminent Arab power, the only one whose armies were strong enough to threaten Israel. He calculated that there was still ground in the Sinai that Israel could safely evacuate. What he saw in return—as he acknowledged candidly—was the prospect of separating Egypt from the rest of the Arab world. Rabin stated he wanted peace with "normalization." But the objective he really wanted was acceptance by the Arabs of permanent changes in Israel's boundaries.

In entering new shuttle talks with Kissinger, he made clear that he was no readier to implement the territory-for-peace principle insofar as "full peace" was concerned than Golda Meir had been seven years earlier. Kissinger, faced with negotiations on Rabin's terms or no negotiations at all, decided reluctantly to go along.

Blank Check?

In February 1975, Kissinger arrived in the Middle East to begin the second Egyptian-Israeli shuttle, only to find negotiating conditions had sharply deteriorated in the previous months. Anwar Sadat, apprehensive about getting too far out in front of the Arab world, let it be known he wanted no agreement that did not bring with it a substantial gain in territory. Rabin answered that he preferred no agreement at all to giving away defensible terrain. Jordan and Syria had by now become extremely suspicious of Sadat and of the prospect of his making a separate deal that overlooked their interests. The Arab oil producers were talking of another embargo to put pressure on Israel. The Russians were waiting in the wings for the opportunity to cement together the pieces of their old Middle East power base.

Kissinger understood that the U.S. would be much embarrassed if his peacemaking program failed. Both Rabin and Sadat came away from visits with him convinced that he was more anxious for a successful shuttle than were either of them. That, of course, was precisely where they wanted him. Sadat retreated in the negotiations from his original terms, but Rabin retreated even further, and after two weeks of bargaining, Kissinger decided to go home.

Back in Washington, Kissinger publicly blamed Israel for the breakdown. President Ford followed by announcing a "total reassessment" of American policy in the region and, in the ensuing weeks, imposed limitations on arms shipments and economic assistance to Israel. It was as severe a blow as had been struck since Eisenhower's day. Rabin stuck resolutely to his guns, while in Israel public opinion rallied to him and in America the Jewish leadership urged the White House to soften its response. In May, pro-Israeli pressure persuaded 76 U.S. senators to sign a letter calling on Ford to loosen the screws.

Rabin was confident that in time Kissinger would crack. He understood that Kissinger could not bear to convey to the Soviet Union the image that American power in the Middle East was in disarray. He bet that Kissinger, without other options, would return to Israel, bearing gifts.

Sadat took the initiative to restore movement in June by volunteering that if Israel moved as far back as the Sinai passes, Egypt would agree to the demilitarization of the evacuated area. Furthermore, it would allow Americans to man electronic warning stations within them to monitor compliance with the agreement. Ford and Kissinger, whatever their misgivings about American involvement, adopted the idea.

But the real breakthrough in talks occurred when Ford, shortly afterward, conveyed to the Israeli government the offer that Rabin had gambled on receiving. In return for Israeli evacuation of the passes and the oil fields, Ford said, the U.S. would assure Israel permanent, large-scale, military and financial support. It was a huge concession that would transform not only American-Israeli relations but the entire structure of power in the Middle East. Yet even with the groundwork laid in advance, it took Kissinger 12 days of shuttle diplomacy to negotiate the agreement, known as Sinai II.

In the context of the long struggle for Middle East peace, the Israeli-Egyptian segment of Sinai II was unquestionably a remarkable achievement. Israel, in giving up Egyptian land it had captured in 1967, agreed to take undeniable risks with its security, and in giving up the oil fields, with its economy. The cost of the Yom Kippur War to the Israelis had been astronomical. Economists calculated the total at nearly $7 billion, equal to more than a year of the country's gross national product. Egypt had also made a psychological break from the Arab world, as well as from Arab

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history, to move away from the order of inexorable war that had defined its Israeli relations since 1948.

But it turned out there was less promise and, ultimately, more trouble than met the eye. The Israeli-American segment of the Sinai II agreement, the most painful to negotiate, carried American involvement in Israel's security, begun in Lyndon Johnson's day, into a new range. To get Israeli agreement to Sinai II, Kissinger sealed the pledge that Ford had made earlier to Rabin. In it, the U.S. accepted an obligation to "submit annually for approval by the U.S. Congress a request for military and economic assistance in order to help meet Israel's economic and military needs." The accord contained a further obligation that the American government "make every effort to be fully responsive, within the limits of its resources and congressional authorization and appropriation, on an on-going and long-term basis, to Israel's military equipment and other defense requirements, to its energy requirements and to its economic needs." The agreement also guaranteed that if Israel faced an energy shortage, the U.S. would provide oil from its reserves, transport it, and even provide oil to Israel when an embargo was in effect against the U.S.

America's pledge, in effect, made it the custodian both of Israel's security and its economy. The agreement was not quite an American "blank check" to Israel, but it came extremely close. Kissinger's structure tied the U.S. to all decisions Israel made, while imposing on Israel no corresponding requirement to consider American interests in making them.

Even more inexplicable than the military and economic vows that Kissinger made was his agreement in Sinai II to put an end to his beloved step-by-step diplomacy. Having cajoled and pleaded with Rabin for months to face the Palestinian issue by dealing with Jordan, and having lost face in Amman by failing to keep his own pledge of a shuttle, Kissinger proceeded to cross a Jordanian-Israeli "disengagement" accord off his agenda. In scrapping the step-by-step strategy, he agreed to abandon the peace process altogether.

Furthermore, having rewarded Rabin once for refusing to deal with Jordan, Kissinger proceeded bizarrely to reward him a second time. Kissinger had warned Israel in 1974 that refusal to come to terms with Amman would strengthen the PLO. Shortly afterward, his concern was vindicated when the Arab summit at Rabat transferred to the PLO all of Jordan's authority to speak for the Palestinians. Rabin naturally said he would have nothing to do with the PLO, and Kissinger said the United States would not either. In Sinai II, Kissinger made the now famous American pledge of self-denial, agreeing not to "recognize or negotiate" with the PLO. The pledge has made Washington as ineffective in dealing with the Palestinian question as Moscow became, after breaking relations, in dealing with Israel.

U.S. economic aid jumped from $126 million in 1966 to $467 million in 1973 and three years later, after the Kissinger covenent, to more than $2.5 billion. U.S. aid is now $3 billion. Of course, not all of the huge increase could be attributed to the Kissinger covenant; Congress has often increased Israel's appropriation beyond the level requested by the administration. But U.S. Treasury and Pentagon officials are now required by law to meet with Israeli officials in crafting the budget requests for foreign aid, requests designed to meet the budgetary needs of the Israelis. More important, the philosophy behind the agreement, more than the letter of it, had been accepted: U.S. foreign aid to Israel was to become a major part of Israel's budget.

Rabin, who made up in shrewdness what he lacked in committment to peace, knew well enough how to respond to an opportunity that he considered to be in Israel's interest. In Sinai II, he provided so well for Israel that it never *had* to settle with the Arabs again. When I asked Rabin whether Sinai II did not give Israel a free hand to do as it liked in strategic and political matters in the region, he answered, "No doubt." To make sure I had not misunderstood him, I asked Rabin a second time whether Israel had the military power to do as it liked in the Middle East. He said, "Of course."

Intoxicated with strength

In a narrow sense, the huge amounts of American aid and the Israeli military buildup may have made Israel more secure; no country has attempted to invade since the agreement was signed. But the military might that Rabin had been so instrumental in creating was at the disposal not just of land-for-peace Mainstream Zionists but of whatever ideology governed Israel.

The prime minister who followed Rabin in 1977 was Manechem Begin, a Revisionist who was prepared to go beyond the mission of defense to assign Israel's armed forces a far more contentious set of imperatives. Begin is remembered for joining Sadat under the wing of Jimmy

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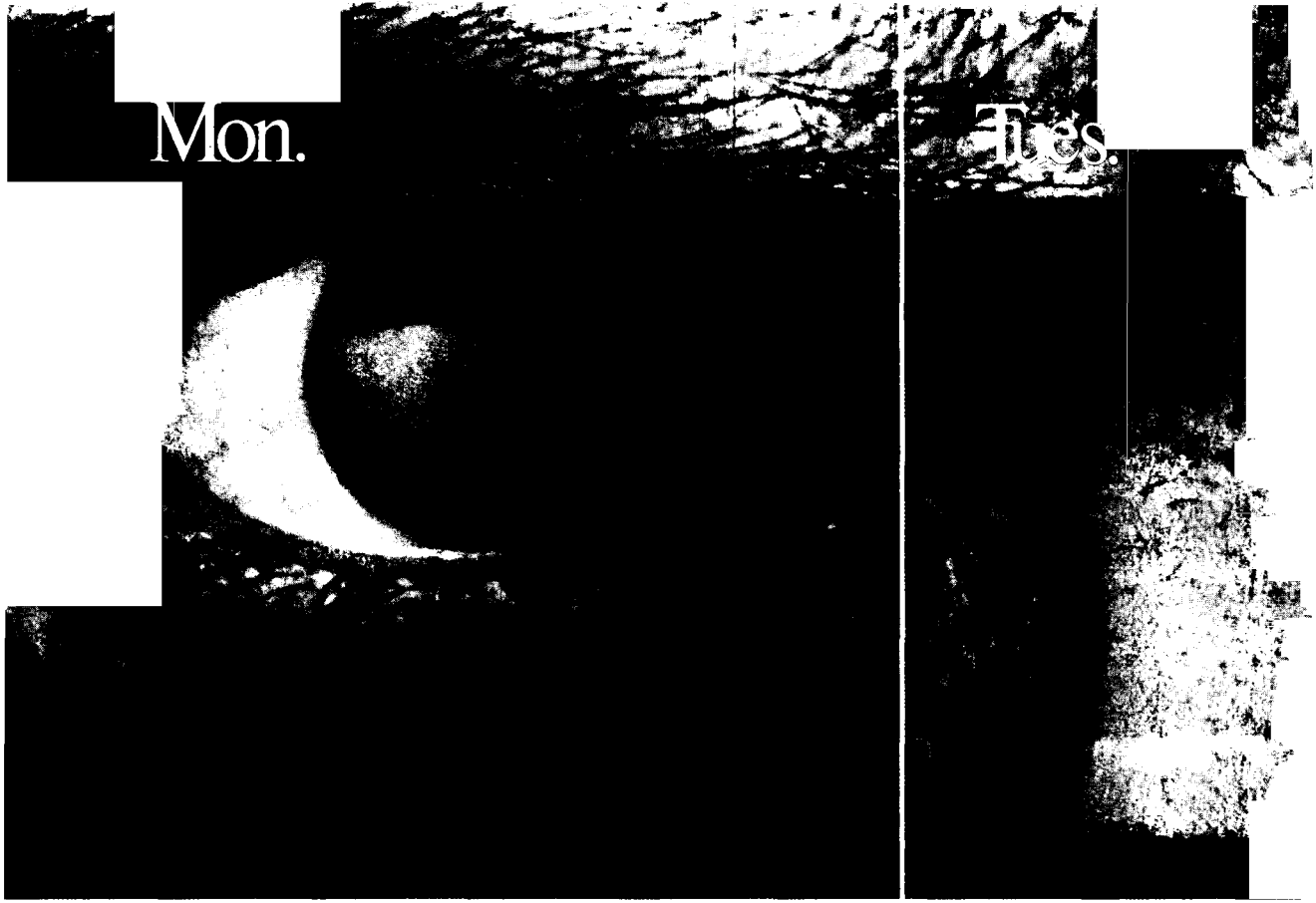

Thurs.

Fri.

The week we looked terrorism in the eye and proposed a way to make it blink.

Its face has grown familiar. In the endless images of twisted wreckage and shattered bodies left scattered in its wake.

It claims to work for many causes, but wields only one tool—violence. And its target is you. Your family, your children.

The face of terrorism. It's become a major force in our world, and Newsweek has detailed its violent development. But we didn't stop there. Because when Newsweek looks at a story, we see beyond the face of t

situations, or even the motivations—we see and search for solutions. Recently, we proposed 10 concrete steps designed to combat terrorism. Among them: improved intelligence gathering, cracking dow n unsafe airports and create

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Wed

Sat.

That's our prescriptive approach to the news—reporting not only what's happening, but what can be done about what's happening.

And over the years, we've applied that prescriptive approach to such varied and difficult dilemmas as civil

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Why it happened. What it means.

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Carter at Camp David and agreeing to evacuate Egypt's Sinai territories. But it is sometimes forgotten that, in return, he separated Egypt from the Arab world, neutralizing its power in the Arab-Israeli conflict. With the largest Arab army no longer a factor to be considered, Begin had a free hand to use his own military forces as he liked.

In late 1981, Begin's defense minister, Ariel Sharon, delivered a remarkably candid speech to Tel Aviv's Institute of Strategic Studies, in which he outlined Israel's new vision of military dominance. "Israel's national security interests," he stated, "are influenced by developments and events far beyond the direct confrontation area where Israel had focused its attention in the past.... Israel's sphere of strategic and security interest must be broadened to include in the 1980s countries such as Turkey, Iran, and Pakistan, and regions such as the Persian Gulf and Africa, particularly the countries of North and Central Africa."

No matter how sympathetically Sharon's assertion is examined, it emerges as fantasy except that as minister of defense, Sharon was stating *policy*. The fantasy was that Israel, a tiny country of barely three-and-a-half million citizens, would exercise strategic dominance over an area covering 5,000 miles end to end, and containing hundreds of millions of inhabitants, nearly all of them muslim. Israel had by far the strongest army in the Middle East, and the Arabs were in disarray. Israel's security was guaranteed by the greatest of superpowers, which bestowed upon it a huge annual subsidy and all the arms it needed, while imposing on it no political limitations. In his speech, Sharon was extolling the power of an irresistable military machine that had gone out of control.

Six months later, Begin sent the Israeli army into Lebanon. Secretary of State Alexander Haig has written that he warned Begin repeatedly that the U.S. would not support Israeli action in Lebanon without an "internationally recognized provocation." This was an invitation to find one, which Israel had not trouble doing. When a prominent Israeli diplomat was shot in London, Israel blamed the PLO and its waiting army moved. Though subsequent investigation established that the PLO had not been responsible for the shooting, it hardly mattered. The Begin government concluded quite reasonably that it had met Washington's terms. "I was against that war," Rabin told me. "Begin became intoxicated by our military strength, but the war in Lebanon had to fail. We cannot impose peace on our neighbors through the force of arms."

Israel's intoxication with its military strength has also meant that during Likud's reign there have been no serious negotiations on returning any of the captured lands on the West Bank as a way of settling the Palestinian problem. Israel's emphasis has been almost exclusively on military buildup. Israel's defense budget grew from $616 million in 1966 to $3.7 billion in 1976 to $4.5 billion in 1980. Its ratio of defense spending to gross national product grew from 8.7 percent in 1966, about the same as the U.S., to nearly 30 percent in 1980, six times the American level. Israel's huge financial obligation for arms, notwithstanding generous American subsidies, have sapped the country's economic system. They have depressed the standard of living, discouraged immigration and encouraged emigration, and forced deep reductions in educational and social programs.

Meanwhile, the signs are plentiful that the Arab obsession with war against Israel has faded. For a decade, at least, I believe the Arabs have been ready to live with Israel in peace. In an interview I had in 1986 in a Gulf country, an Arab fundamentalist leader told me that Islam could never make peace with Israel. "The Jewish people can live among us as they always have," he said, "but we are against a Zionist state." Then he stopped and sat quietly for several minutes. "Can I speak off the record?" he said finally. I replied that he could, which is why I cannot identify him. "That's my public position. But the Arab people need peace and stability to develop, and we cannot make war with Israel anymore. My private position is that we ought to make peace at once."

In looking back on the two decades that have passed since the Six-Day War, it is evident that Israel, having won all the battles, has lost the peace. The victory of 1967 set off a chain reaction that transformed the nation's character. Ignoring Ben-Gurion's admonition to remember that the land belonged to two peoples, Israel shifted its preoccupation from construction of the Jewish state to preservation of its conquests. Zionism, a humane set of values that for nearly a century had inspired the dream of a Jewish homeland, itself took on a new flavor, which was more aggressive, less generous, increasingly nationalistic. If the recompense for these losses was greater security, one might perhaps defend the transaction. But as the end of the 1980s approaches, with the Middle East still in ferment, Israel's condition has never appeared more precarious. ■

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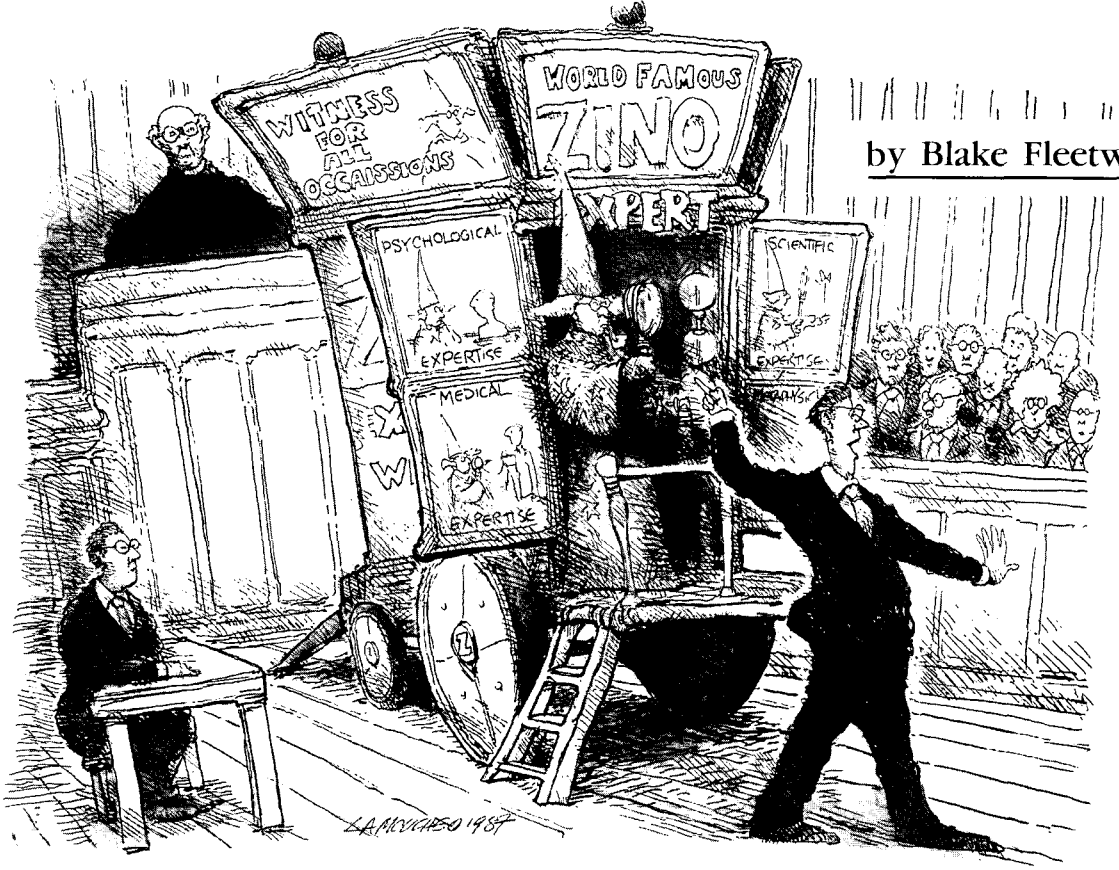

by Blake Fleetwood

FROM THE PEOPLE WHO BROUGHT YOU THE TWINKIE DEFENSE

The rise of the expert witness industry

In many ways, Dr. Louise Robbins is your typical anthropologist. She's earned a teaching post at the University of North Carolina/Greensboro, studied shoulder-to-shoulder in Tanzania with Dr. Mary Leakey, and posed for *National Geographic*. At 58 she even looks a bit like Margaret Mead.

But what made her a legend in her field wasn't her study of monkey bones or prehistoric man. It was her work on the witness stand as a highly paid authority on footprints—a skill beloved by district attorneys. "A shoeprint is like a fingerprint," she once told reporters. For $1,000 a day and up to $9,000 per case, Robbins would help track down murderers from a single footprint. From it, she said she could tell a person's height within an inch as well as his or her weight, sex, and race—not to mention socioeconomic status. She even testified that she could tell whether a person was from northern Europe or from southern Europe. Before an illness kept her off the courtroom circuit, her testimony helped win convictions in more than 20 trials. Newspapers described her as a female "Quincy."

There's just one problem. Robbins's "expertise" never resembled science, according to most anthropologists. In February, a national panel of 135 anthropologists and lawyers concluded that Robbins's "shoeprint identification doesn't work." William Bodziak of the FBI Crime Lab said that Robbins's "wear pattern analysis" is "totally ridiculous," while Melvin B. Lewis, a

Blake Fleetwood is a New York writer.

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John Marshall Law School professor, dismisses her work as "snakeoil." "She has an incredible imagination. It's nonsense," said Tim White, professor of anthropology at the University of California/Berkeley. "I was in Africa with Robbins and she said that prehistoric human footprints belonged to an antelope."

Louise Robbins is just one of the more notorious members of one of the world's newest professions—the professional expert witness, a calling born out of the union of modern science and high-priced litigation. Across the country, thousands of professional witnesses—academics, physicians, and other specialists—are hired by attorneys just for their written statements and courtroom appearences. They command huge fees testifying on everything from hernia ailments to snowmobile accidents. Several thousand dollars per day is not uncommon. While all the headline trials of recent years—Baby M, John Hinckley, Claus Von Bulow—have centered on expert testimony, so have squabbles worthy of Judge Wopner.

For lawyers and academics, it's a marriage of convenience—but a passionate one. Lawyers use expert testimony to drive home a point and win big settlements. And many experts find the oak-paneled courtroom life, with its high fees and real-world importance, to be far more seductive than dusting Tanzanian pottery.

Dial-an-expert

It wasn't always this way. Expert witnesses were once a rarity in courtrooms. When academics took the stand, they did so not for a fee, but as spokesmen for their professions. Testifying certainly wasn't a full-time job. A 1923 federal court decision *Frye v. U.S.* helped limit even those cases by barring outside witnesses who "were not generally accepted by the scientific community."

As litigation exploded—tedious cases (like antitrust) became even more complex and once simple conflicts (like child custody) became extended battles—attorneys turned to authorities in universities and professional life, much as government and industry turned to outside consultants. A silver-maned, professorial figure could not only strengthen a case, he or she could save an attorney a lot of time. By renting an expert, a lawyer need not study the intricacies of worn brakes or shady bookkeeping.

These days, lawyers need experts to protect their own hides. *Not* using an expert witness can open a lawyer to being sued for legal malpractice. After losing an $11 billion decision to Pennzoil and falling into bankruptcy, Texaco was criticized for not tapping economists, whose testimony might have limited the judgment to a paltry $700 million or so.

Even routine, run-of-the-mill lawsuits call for expertise. In one San Francisco case involving a client whose wall fell down because of a backed up city sewer, attorney Steve Kaus was forced to call on three experts: a former insurance agent to testify that the city should have paid up sooner, a soils expert to testify that the wall really did fall down because of the flooded sewer, and a psychiatrist to show that the six-year delay in getting simple justice had driven his client nuts.

With such a ready market, a new hustle was born. To many academics struggling to keep up with bankers, doctors, and lawyers, it was as if a great light had suddenly lit up. By working just two weeks as a hired witness they could double their salary. Some experts found they could pull in $200,000 extra a year. Tenure without tears.

But money wasn't the only lure. The chance to break out of the classroom and prove to the world that nineteenth-century history still counts or that statistics mattered was for many a sweeter reward than money. Being on the witness stand isn't quite the same as being on "The Tonight Show," like Carl Sagan, but it is still flattering. Lawyers know this. Often when they want to snare a reluctant witness, they muster their loftiest rhetoric about truth and justice. "Tell your expert how justice will be served if he will testify on your side of the case," said John C. Shephard former president of the American Bar Association at a conference of attorneys. "Remind him that the unfortunate situation in our courts today can be improved if we have people of his caliber to help in the administration of justice. That ploy will impress even the rich expert."

Professors aren't the only experts available to testify. There are authorities who assess wine collections, testify in dance accidents, analyze bird feathers for toxic contamination, evaluate swimming pools, consult on "swine management," and otherwise report on things that can bend, break, explode, or make people sick. Naturally, expert economists are available to put a dollar figure on every calamity.

Since the mid-1970s, several federal and state courts have liberalized the standards governing expert witnesses. (The earlier *Frye* decision never carried the weight of a Supreme Court ruling.) In many courts, a person can qualify as an expert merely by possessing special knowledge in an area about which the general public has no common knowledge. It doesn't matter whether

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that knowledge is abundant or sketchy.

The biggest shopping bazaar for their testimony is *Trial*, the magazine of the Association of Trial Lawyers. In the back of the magazine, where the personals would be in any weekly newspaper, dozens of witnesses strut their stuff. A Dr. Herbert H. Hill offers computer-simulated "automobile accident reconstruction"; Jonathan Cowan, Ph.D., of Prospect, Kentucky will aid in "defense of drunk driving cases." ("Was your client intoxicated? Drug impaired? Or just presumed so?") The Medical Legal Consulting Service of Rockville, Maryland boasts of bringing in the highest verdicts. "Our statistics top the charts," the ad states. "If experts have stated that they find no liability in a medical malpractice claim with catastrophic injuries. . . let us analyze the case for you." The ad for a rival firm, Medi-Legal Services, "the heavyweight medical experts," shows a respectable white-haired, bespectacled man sporting a surgical coat—and boxing gloves. "Any type of physician, surgeon, or medical expert available," the ad reads.

For the more discreet witness, there are "witness brokers," who will match witnesses to attorneys. In Washington, D.C., the Expert Witness Network, a dial-an-expert service, has doubled its pool of witnesses, mostly engineers, every year since it was founded in 1982. For a 20 percent fee, its founder and head, Gary Melickian, will match the expert with the case. Today, the Network cuts deals for nearly 1,000 witnesses. "I see a great future for the profession in areas like health spa and recreation accidents," said Melickian.

It's hard to find a profession that doesn't have its courtroom experts. For civil servants, taking the stand is one way of parleying public service into big bucks. David Crown, who retired from the CIA as a handwriting expert five years ago, finds the profession so good that he is turning business away even though he charges $150 per hour. "It's the most fun I've ever had in my life," he said.

Even journalists are getting in on the action. Marilyn Lashner, a former assistant professor of communications at Temple University, helped a former U.S. attorney, Robert Curran, win an $800,000 libel judgment against *The Philadelphia Inquirer* by analyzing the text of the article. Perhaps you're wondering how one scientifically gauges an article's "objectivity." Lashner's finely calibrated technique employs a "Coding Manual" to assign weights to different words. This is how Lashner buttressed an $81 million suit against financial columnist Jane Bryant Quinn and *Newsweek*. Her final analysis was a 38-page report dissecting Quinn's 700-word column. Eventually, the suit was settled for no money and a letter to the editor. "It gave me a couple of amusing hours," Quinn recalls. "Her system has no room for ironies."

There's plenty of work for Lashner & Co. For every expert who testifies in an average case that goes to trial, 19 others have given depositions, done reports, or consulted in settled cases. Only two percent of filed suits ever make it to trial.

With litigation, comes money. Lots of it. Sought after experts make up to $20,000 per case, $6,000 per court day, and $500 per hour. For its part, AT&T paid $5,000 per day to Dr. William Baumol, a New York University economist, for his testimony against MCI in an antitrust case. AT&T lost in a $300 million settlement, but Baumol, like other witnesses, collected.

Even though they have to come up with the money, lawyers find that experts are worth hourly wages of several hundred dollars and retainer fees that generally hover between $2,000 and $5,000. Neil Rossman, a Boston attorney, who recently won a $4.8 million case against a fire engine manufacturer when a fireman fell off a truck (because he insisted on hanging on the side, macho-style, instead of sitting in his seat with a seat belt on), describes the lawyers' needs. "I wouldn't use an expert that is going to charge me $7,500 in pretrial and $2,500 per day on a case that was only worth $50,000. It wouldn't make sense. But if I had a $3 million case involving a quadraplegic I wouldn't hesitate to use them. It's my money and my bet."

The color of money

This kind of money attracts charlatans with little real expertise and tempts otherwise reputable experts into playing fast and loose with the facts. It's no exaggeration to say that if you want to hire a witness to parrot your point, you can. "We have a lot of professors in this country with small salaries, and there's the temptation to alter testimony," said Paul Rothstein, a law professor at Georgetown University and chairman of the American Bar Association's Committee on Criminal Procedure and Evidence.

Indeed, practicing attorneys snicker at the verbal gymnastics that many experts perform for their hourly fees. "You get a professor who earns $60,000 a year and give him the opportunity to make a couple of hundred thousand dollars in his spare time and he will jump at the chance,"

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said Dennis Roberts, a criminal and personal injury lawyer from Oakland. "They are like a bunch of hookers in June."

None of this embarrasses lawyers; they want to win cases, not necessarily bring out the truth. They spend countless hours coaching their witnesses, making sure that they're going to behave like team players. "Many are convinced that the expert who really persuades a jury is the independent, objective, nonarticulate type... I disagree," said John C. Shephard, the ex-ABA president. "I would go into a lawsuit with an objective, uncommitted, independent expert about as willingly as I would occupy a foxhole with a couple of noncombatant soldiers."

Lawyers not only want a committed witness, they want one with the right airs—neat but not dapper; respectable but not pompous; mature but not senile. Betty Lipscher, who publishes a directory of expert witnesses with more than 8,000 subjects listed, conducts seminars and classes at an annual convention where scruffy academics and disheveled doctors learn how to speak, act, and handle themselves on the stand. "So often, juries pay attention to the best actor, the man or the woman with flowing white hair and the look of Moses," said Rothstein of the ABA.

Little surprise, then, that law and medical schools offer classes on how to deliver testimony. At the University of Virginia, Paul Elliot Dietz, a professor of law and psychology, teaches his medical students how to testify. One of his most important points: stress your credentials. "A jury may be more impressed to know that someone is an instructor of psychiatry at a local nursing school than they are to know that someone is an assistant professor of psychiatry at a leading medical school," he said. "Juries sometimes think that an assistant professor is an assistant *to* the professor."

Does all the money and coaching pay off? Consider the case of Philadelphia psychic Judith Haimes who won a $1 million verdict from a jury after she claimed that the dye used before a CAT scan had damaged her powers and prevented her from making a living. A parade of specialists, including a doctor and several police department experts, took the stand to support her claim. Eventually, Judge Leon Katz threw out the verdict and ordered a new trial, calling the jury award "excessive."

Expert witnesses were also pivotal in Dan White's infamous "Twinkie Defense." White was able to avoid a murder conviction in the killing of George Moscone, mayor of San Francisco, and Harvey Milk, the city supervisor, after psychiatrists claimed that he suffered "diminished capacity" from wolfing too much junk food. The experts testified that sugar caused a chemical imbalance in his brain; the jury bought it.

It is not just juries that can be snowed by the testimony of a slick expert witness. A. Morgan Kousser, an expert witness and history professor at CalTech who defended his work in an article, "Are Expert Witnesses Whores?", notes that judges are just as susceptible, particularly when the topic is technical. "Many weren't that good at math or science or statistics," he said, "that's why they went to law school."

Expert witness testimony certainly impressed Justice Marvin Shoob of the U.S. District Court in Georgia. In 1981, Shoob, sitting without a jury, ruled that the Ortho Gynol contraceptive cream caused birth defects in a newborn child. He awarded $5 million to the baby's parents. That would have been fine except that the overwhelming consensus among doctors—who weren't getting paid for their opinions—was that there was "no connection" between the drugstore spermicide and birth defects. *The New England Journal of Medicine* blasted Shoob, lamenting that "courts will not be bound by reasonable standards of proof." Millions of women bear the cost of Judge Shoob's decision every time they pay more for the contraceptive.

Slave wages

Like any expensive service, the well-off have greater access to expert witnesses than the rest of society. Sure, in personal injury cases, like the Dow Chemical catastrophe in Bhopal, India, there's no dearth of attorneys waiting to serve the poor and serve themselves. But in most cases where the stakes are lower—only the lives and health of those involved—attorneys and their hired experts are not so altruistic.

Without pricey experts, John Hinckley would never have copped an insanity plea for shooting the president. Eleven psychiatrists canvassed Hinckley's mind during the 52-day trial, including Harvard psychiatrist David Baer, who was paid $35,000 for his efforts. There may have been merit to Hinckley's case, but few ghetto kids could hire a Ph.D. to make their case in court.

The same problem arose in the Baby M case. Was it fair that the Sterns could summon witnesses to analyze Melissa's patty-cake technique, while Mary Beth Whitehead could not respond with a salvo of her own, save for the few witnesses who helped her gratis. "Custody cases are a real problem," said one public interest

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"I would go into a lawsuit with an objective, uncommitted expert about as willingly as I would occupy a foxhole with a couple of non-combatant soldiers," said one attorney.

lawyer. "It's just hard to afford the clinical psychologists or physicians who will testify that the poor parent is competent."

One Detroit psychiatrist, Dr. Emanual Tanay, simply refused to testify on behalf of a murder suspect in Kalamazoo County, Michigan for "slave wages" of $150 per day. Eventually Tanay showed up, carrying his report in a tape recorder. His testimony was played, but the doctor wouldn't answer questions as a matter of principle. The judge cited him for contempt, but his ruling was later overturned by an appeals court. Dr. Tanay testified that if he didn't get paid his customary fee, he couldn't pay his two secretaries and his office overhead.

While individuals can hire talented experts to make their points, corporations can bankroll teams of witnesses to testify on their behalf, especially in product liability suits. For instance, A.H. Robins hired physicians to defend its Dalkon Shield IUD against charges that it maimed the women who used it. One of those hired, Dr. Lewis Keith, a professor of obstetrics and gynecology at Northwestern University, testified on the device's safety at a trial in Tampa, Florida. When attorneys asked him whether he had done any "hands on" studies of the IUD, he replied that he had. That snippet of testimony proved crucial; Robbins's lawyer played it like a harp in his final summation, telling the jury that "the best test had been done under the auspices of Dr. Keith" and that the cumulative evidence vindicated A.H. Robbins. The jury believed him and dismissed the $12 million suit. Robbins would never have been found guilty save for one mistake. When the case went to an appeals court in Atlanta, Georgia, Keith answered the same question, saying he had only looked at the notebooks of those who had done the tests. The Atlanta court, concluding that Keith had lied, overturned the verdict. For his testimony, Keith earned $277,092.

Consequences not truth

To be sure, there is a noble side to expert testimony. We should be glad that clannish loyalties no longer prevent physicians and other professionals from testifying against one another. Expert testimony can be a way of keeping them accountable. And many experts who take the stand do so with integrity. In the sex discrimination case against Sears, Roebuck, two scholars of women's history, Professors Alice Kessler Harris of Hofstra University and Rosslyn Rosenberg of Barnard College, squared off in what observers of all political stripes acknowledge was a committed, honest debate about what constitutes sex discrimination. There was nothing fuzzy around the edges; both said under oath what they had long maintained in their academic treatises. It was Rosenberg's first case, and she said she wouldn't take another "unless the right one came up and I could be clear."

Unfortunately, most witnesses aren't so proprietary. The lure of money, the prestige of the courtroom, the infectious team spirit that comes from working on a big case, all tempt experts to abandon the basic ethical canons of their profession. One would hope that from our adversarial system, from the clash of opposing expertise, the truth would emerge. But as in industry or government, fraud and incompetence plague the expert witness business. So too does reticence—an unwillingness to speak up when justice is being misserved.

No one knows that better than Gary Dotson, whose case made headlines after it turned out that he had been wrongly convicted for raping Cathleen Webb. When Webb admitted that she had lied about being raped, Dotson was freed by James Thompson, the governor of Illinois. Only a few accounts of the story focused on Timothy R. Dixon, the police expert whose testimony helped put Dotson away.

Dixon had testified that the seminal material found on Webb's panties matched Gary Dotson's blood type.

But at the time, and during the years Dotson was held in prison, Dixon did not say what he knew full well—that Cathleen Webb's own vaginal discharges, not necessarily semen, could have caused the stains. Years later, a *Washington Post* reporter asked Dixon why he didn't speak up. "I guess I wasn't asked," he said. ■

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In a graduation speech at the University of California at Berkeley School of Business last year, Ivan Boesky said: "I urge you as part of your mission: seek wealth! It's all right.... But do it in a virtuous and honest way.... With the privilege of wealth and power comes enormous obligation."

◆

MAYBE MARX WAS RIGHT

In a recent *New York Times* article entitled "Feeling Poor on $600,000 a Year," one investment banker said of his peers, "They earn $600,000 and spend $400,000 out of pocket.... But when the Joneses they are keeping up with are the Bassess...$10 million in liquid capital is not rich."

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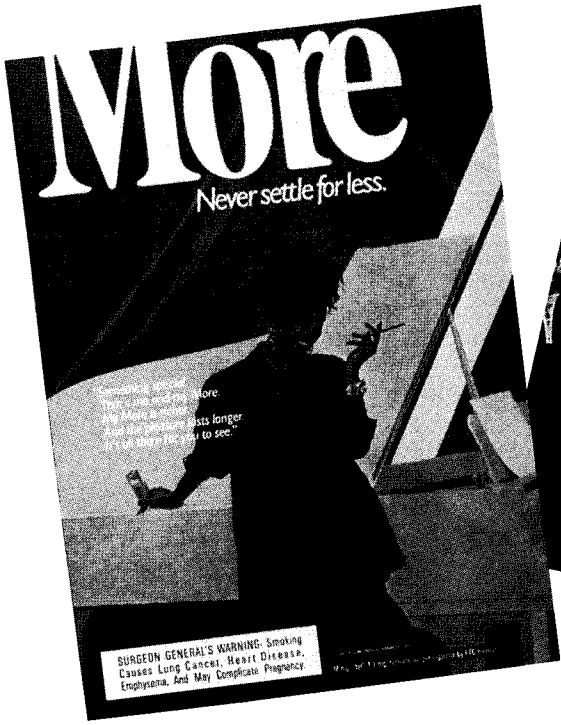

EYES ON THE LIES

How black leaders and cigarette companies have turned indoor smoking into a civil rights issue

by Susan Milligan

Scott Stapf sat before the New York City Council in January and warned of an impending problem of massive racial discrimination against black New Yorkers. Legislation the council was considering, he said, "would encourage discriminatory enforcement at the expense of the city's minority communities." The council members looked skeptical but Stapf pushed on, pointing out that the legislation would affect thousands of working blacks in New York and that "minority groups see them as a frighteningly familiar discriminatory element."

This civil rights worker was none other than the assistant to the president of the Tobacco Institute, the lobbying arm of the tobacco industry. The "discriminatory" legislation he was so ardently opposing was a proposed ban on indoor smoking in New York City. How is this an issue of racial discrimination? The bill, in addition to requiring large restaurants to create nonsmoking sections, prohibits employees from smoking in most open office areas, whether in government departments or private businesses. So the tobacco lobby argues that the office provision is discriminatory because clerical-type jobs are held largely by minorities. They correctly note that white male executives can puff away in their private offices but the black clerical staff, being in the open areas covered by the smoking ban, must put out their cigarettes. Therefore, the "rights" of blacks are being disproportionately affected.

Black leaders have come to the Tobacco Institute's side, lobbying against the city council legislation and assailing a New York State Public Health Council ruling—now being challenged in the courts—that implemented the indoor smoking ban. The Institute assembled an impressive list of local minority leaders to join the "Committee for Common Courtesy," a coalition opposing the ban. The group included Hazel Dukes, president of the New York State branch of the National Association for the Advancement of Colored People; Wilbert Tatum, the outspoken

Susan Milligan is a reporter for the New York Daily News. *Robert Doar provided research assistance.*

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editor of *The Amsterdam News*, the city's leading black weekly; Nat Singleton, executive director of the Association of Minority Enterprises; Ray Hostock, president of the Caribbean-American Chamber of Commerce; Jewel Jackson McCabe, president of the National Coalition of 100 Black Women; and James Hargrove, president of the National Black Police Association.

In testimony before the Council's Health Committee in January, the Institute's lobbyists also trotted out their traditional argument that there is no concrete proof that cigarette smoking causes cancer. But knowing that this argument has regularly been ripped apart, the tobacco lobby added the civil rights issue to their pitch—and the support of the local black leaders gave great respectability to their claims. "Look where minorities fit into the work place: at the low end of the totem pole," said Hazel Dukes, of the NAACP. "An executive can close the door and smoke as much as he or she wants. To me, that's discrimination."

Wilbert Tatum of *The Amsterdam News* lashes out regularly at those in the city health depart-

CIGARETTES ANYONE? TENNIS AND SMOKING

by Robert Doar

The use of civil rights rhetoric is not the only curious method the tobacco industry uses to promote smoking. Phillip Morris has promoted Virginia Slims since 1971 by sponsoring women's professional tennis. That year, the company's marketing people decided this would be a perfect combination. Phillip Morris had only recently introduced Virginia Slims, which were expressly targeted at the liberated woman. Its "You've come a long way, baby" image would fit well with the growing women's tennis circuit. Phillip Morris had the cash. The women's tennis promoters needed a sponsor.

When Gladdis Hellman, publisher of *World Tennis Magazine*, decided in 1971 to organize a women's tour, she had no trouble lining up the athletes. Billie Jean King, Chris Evert, Evonne Goolagong, and the rest were fed up with the second-class treatment—low purses, bad playing times—they were getting from the promoters of the men's tournaments. Hellman then went to Joe Coleman, president and chairman of the board at Phillip Morris. The result was the first Virginia Slims tournament in Houston.

Ever since, except for a short period during the seventies, Virgina Slims has been a big part of women's tennis. The arrangement has proven such a boon for women's tennis that the inherent conflict between unhealthy cigarette smoking and healthy tennis has never become an issue.

Today, Virginia Slims is the single largest sponsor of women's tennis. "We don't ever, in any way, ask for product endorsement," says Ellen Merlo, of the marketing department at Phillip Morris, "We just count on the favorable association." With ten Virginia Slims banners tacked up around the courts at all tournaments and "Virginia Slims Series" printed on the main court, Phillip Morris has partially circumvented Congress's 1973 ban of cigarette advertising on television. They can't run an ad showing a women puffing a cigarette on TV, but they can sponsor an event showing a healthy woman in front of a Virginia Slims banner.

Only recently has Virginia Slims encountered objections to their sponsorship of women's tennis. Last year George Washington University President Lloyd Elliot decided that his school would no longer host the Virgina Slims Washington tournament. "I do not wish to have George Washington University," said Elliot, "being associated with the promotion of cigarettes."

Virginia Slims is not the only tobacco company involved in big time sports. R.J. Reynolds' Winston brand has sponsored the National Association of Stock Car Racing Series since 1970, investing over $750,000 a year in the 30 stock car races. And, in perhaps the most ironic partnership between cigarettes and sports, Vantage recently began sponsoring the Senior Professional Golfers Association tour. Just what a 65-year-old needs: a pack of Vantage.

Does all this sports sponsorship pay off? Virginia Slims has grown to be the 12th most popular brand in the United States—earning a 3 percent market share which amounts to the sale of 16.9 billion cigarettes, according to Cathy Lieber of Phillip Morris. "That's with a 'b'," she says. ■

Robert Doar is a Washington writer.

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The hearings on the New York City smoking ban were not the only time the tobacco industry has shown special interest in black Americans. It has aggressively targeted them in advertising campaigns.

ment, claiming that while they attack blacks' right to smoke in public, they ignore other minority health concerns. "They are a bunch of hypocritical bastards," says Tatum. "And when they say they are in my corner, I walk out. When government, when [New York Mayor Ed] Koch, when Reagan, and when other "good government" organizations—the AMA [American Medical Association]—start making attempts to 'help' black people, I get scared."

The civil rights argument has been criticized by some medical professionals as remarkably shortsighted. "It doesn't make sense," says Dr. John O. Brown, president of the National Medical Association, a group of minority physicians. His group has worked aggressively to reduce smoking among blacks. "We have banned smoking at all of our meetings and we do not accept advertisements from tobacco companies." But in New York, the most vocal minority voices have been raised to protest the smoking ban.

Graveyard gains

The New York City smoking hearings were not, of course, the only time the tobacco industry had shown special interest in black Americans. It has aggressively targeted blacks in advertising campaigns. According to *Adweek*, the majority of ads in black newspapers are for cigarettes. Slick billboards with sexy, successful blacks dot the streets in black neighborhoods. Thirty-five percent of all spending for urban billboards is for tobacco ads in black neighborhoods, according to the Eight Sheet Outdoor Advertising Association. Tobacco companies have focused on blacks in part because demographically they have the characteristics of the most likely smoker: they are younger, poorer, and less educated. Not surprisingly, the American Cancer Society, the American Heart Association, and the American Lung Association have criticized the aggressive ad campaigns targeted at blacks.

New York black leaders and tobacco industry representatives, though, charge that such concern by public health groups is reprehensible. "I think it's absolutely paternalistic for someone to say that tobacco advertising and tobacco support affect blacks, hispanics, or women differently than they do white men," says Brennan Moran, a spokesperson for the Tobacco Institute.

But whatever the reason, smoking-related diseases *have* hit blacks hardest. Forty percent of black males smoke, compared to 31 percent of white males. Roughly 39,000 blacks died last year from smoking-related diseases. "Black males smoke more and have the highest incidence and mortality from lung cancer than any other sex/race group," notes Harold P. Freeman, director of surgery at Harlem Hospital and chairman of the Medical and Scientific Committee of the American Cancer Society.

Nationally, according to Stephen Joseph of the New York City Health Center, an estimated 5,000 people die each year because they regularly inhale other people's cigarette smoke. There are no hard numbers on how many of them are black, but if it is true that workers in open office areas are disproportionately black, as black leaders claim, then it is also likely that the victims of involuntary smoke are also disproportionately black.

Cancer as charity

There is one other reason why, given the disastrous health consequences of smoking, black leaders seem to have rallied to support the tobacco industry: it has spent millions in direct subsidies to the black community. Neither the Tobacco Institute nor its beneficiaries would provide specific numbers, but both testified to the industry's longtime support of the United Negro College Fund and other black cultural and educational organizations. R.J. Reynolds's Salem cigarettes division sponsors street festivals in

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THE WASHINGTON MONTHLY

Journalism Award

for March 1987 is presented to

Lisa Myers and Stephanie Meagher
NBC News

In a three-part "Special Segment" series, Myers and Meagher showed that large coal companies regularly break federal environmental laws by strip-mining and then failing to restore the land. Relying in part on a House Interior Committee investigation, the series showed that among the companies with the worst records was W.R. Grace, headed by J. Peter Grace, the outspoken advocate of government cost-cutting. Grace failed to pay millions in fees, left 140 mining sites abandoned and unrestored at a cost of $12 million to the federal government, and coerced mining firms into special subcontracting arrangements as a way of evading federal law.

Maureen Dowd
The New York Times

In her article on Robert McFarlane's suicide attempt, Dowd shows how McFarlane's obsession with his job, typical of many in Washington, led to his depressed state, and how some of the rituals of White House politics exacerbated his problems.

The Monthly Journalism Award is presented each month to the best newspaper, magazine, television, or radio story (or series of stories) on our political system. Nominations for any newspaper, magazine, or radio or television station in the country are welcome. The subject can be government in its federal, state, or municipal manifestation.

The award for stories published or aired in May and June will be announced in the September issue. Nominations will close July 15. Nominations should be accompanied by two copies of the story or stories.

black areas, arranging entertainment and handing out free cigarette samples. The festivals, according to Kay Young of R.J. Reynolds, were intended "to show our appreciation to the black community for supporting Salem cigarettes." More cigarettes sponsor the *Ebony* fashion show, which donates proceeds to charity, and Brown and Williamson Co., which had formerly sponsored the Kool Jazz Festival, now sponsors the Kool Achiever Awards for people who have helped inner city communities.

In addition, cigarette advertising has been a major source of support for small black newspapers, many of which cannot get major national advertisers. Tragically, the black leaders' alliance with tobacco companies seems to have been caused in part by a thirst for financial support they can find nowhere else.

While questioning the motives of public health officials, black leaders express great gratitude for the tobacco industry's support. "Phillip Morris has been far more conscientious in terms of social responsibility as a corporation—before the anti-smoking legislation came before us," said Dukes, adding that she is a nonsmoker. "Why is the AMA so concerned about black health [all of a sudden]?"

Twenty-three states control smoking in government buildings, restaurants, or in private buildings. Because New York's proposed smoking ban is the most comprehensive, the Tobacco Institute has been particularly aggressive, fearful the legislation might set a precedent for other jurisdictions. It has gathered 27,000 signatures against the bill and sponsored the mailing of 4,000 postcards to council members. In April, it won a New York State court case striking down the Public Health Council's ban, which was to have taken effect in May. That decision is being appealed, but the City Council is expected to push ahead on its own legislation.

Fortunately, not all minority leaders have joined the efforts to block the smoking bans. While the Institute has been able to enlist individual black leaders, the NAACP as a group has remained officially neutral. A few leaders have even recognized that the tobacco industry is less a partner in fighting for civil rights than the cause of thousands of black deaths, and that, if anything, an indoor smoking ban would save a disproportionate number of minority lives. Victor Robles, a Hispanic member of the city council, is especially wary of the industry's manipulation of minorities in the smoking issue. "We're tired of being used," he says. Let's hope his sense of outrage will spread. ■

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Photo: Grinnell College Archives

Remembering Harry Hopkins and the New Deal

WILD ABOUT HARRY

by John Kenneth Galbraith

I arrived in Washington to take up a position in the New Deal almost exactly 53 years ago as this issue of *The Washington Monthly* comes off the press. I was not a decisive figure in that great current of change. As I've elsewhere told, I was passing through the capital on my way from graduate study in Berkeley and a job in Davis, California, to an instructorship at Harvard. Such, in those days, was the shortage of economists—a most rewarding deprivation that I hope will always persist—that I was put on the payroll in a matter of hours and there remained until the Harvard term began.

My assignment was to the Agricultural Adjustment Administration, the Triple A, a highly improbable center of radicalism at the time. Alas, my position in the hierarchy did not bring me even remotely in touch with Alger Hiss, Lee Pressman, or Jerome Frank, to whose views I would have been dangerously vulnerable had opportunity allowed. I yearned to belong. Also well above me were such reputable figures as Adlai Stevenson and George Ball, and yet further in the upper distance, Henry Wallace, the secretary of agriculture, and Harry Hopkins, the epitome of New Deal activism. They were figures of heroic proportions. Had I heard that they were visiting the South Building of the USDA, then occupied while still under construction, I would have lingered by a lavatory door just to get a glimpse.

Later I was much in Washington and, during the war years, was in charge of price control, a job of some responsibility. Harry Hopkins, nonetheless, remained for me as well as for others a distant and, in light of all that was said of his influence, a mystical or perhaps mythical figure. His influence on F.D.R. was a compulsive topic of conversation as was his role as a lightning rod for conservative criticism. There was also, more specifically, considerable talk about what might be accomplished if, as was often desired, "you could get to him." Those who had access—Leon Henderson, Averell Harriman, Edward Stettinius—were deemed to be, *pro tanto*, men of power.

In the early Roosevelt years Hopkins was thought the ultimate New Dealer, the man who did not make concessions to the opposition, who did not assume, in the manner of the modern liberal (taking advice from the accomplished political strategists), that his own constituency was safe and seek to enlarge it by selling out to the opposition.

Later, early in the war, Hopkins was a solid anchor of support to Britain (and Winston Churchill) and thereafter of aid to the British and the

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Soviets. He was also in those years, in the role in which my associates most admired him, an ally in the great mobilization battle of the time.

This conflict, which could take our attention away from Hitler and the Japanese for weeks at a time, is still not sufficiently celebrated in the wartime histories. It was brought about by the myopic and on occasion perverse vision of the great corporate bureaucrats who came, or were brought, to Washington to mobilize the American economy. Some had as their principle qualification that they were, in a manner of speaking, employed. Some were professional spokesmen for their firms or industries and otherwise nonfunctional. Some were aging and thus expendable. With some notable exceptions, all thought it their wartime duty to protect the economic system from the disruptive regulation they associated with F.D.R. and the New Deal. For seven years they had deplored the New Deal intrusion on economic life; now the war mobilization seemed more of the same. Let us win the war but not by sacrificing the free enterprise system.

Curtailment of civilian production and consumption, expansion of steel and other plant capacity, manpower and materials allocation, and much else, should be left to the voluntary cooperation and good sense of the American businessman and to the beneficent magic of the market. Against this relaxed attitude, solemnly avowed, the New Dealers and their academic allies who had come to Washington were in strenuous, unrelenting, and, as I look back, greatly enjoyed conflict. For determining the outcome of the war it could have been a more important battle than some that were fought with guns.

With us in this confrontation was Harry Hopkins at the White House. F.D.R. was in general support; Hopkins was specifically engaged. He had a sense of the issues and, even more important, an accurate view of the motivation (or lack of it) and the personalities, generally, of the players.

Ceremonial complaints

Hopkins in his several roles has not been neglected by the historians. Arthur Schlesinger, Frank Freidel, and Robert Sherwood have all dealt with him with competence and respect. Now George McJimsey, professor of history at Iowa State, has published a major volume on the Hopkins peacetime and wartime activities.*

It is a generally excellent piece of work. McJimsey tells of Hopkins's origins in Iowa, his education at Grinnell College, his work as an administrator of diverse social services in New York. He then tells in admirable detail of the energy and competence Hopkins brought to the organization and administration of relief and work relief—FERA, CWA, WPA—the tasks that more than anything else expressed the concern and compassion of the early Roosevelt years. He goes on to describe Hopkins's role in the months before Pearl Harbor as a bridge between Churchill and Roosevelt, as an ardent and effective supporter of the British struggle for survival, and then as an extended arm of the president reaching out to and dealing with the armed services and the war agencies. Hopkins was especially involved with Lend-Lease and policy and strategy in support of our wartime allies, including the intransigent problem of shipping and its allocation between our military operations and the allies' needs.

With all else, Professor McJimsey reveals Hopkins's often strained and chaotic personal life and his terrible bouts of ill health, the latter the result of various medical misadventures exacerbated by intense and prolonged strain, and a strong commitment to self-damage. He died only a few months after F.D.R.; it is a miracle that he survived so long.

There is a convention in book-reviewing that requires the reviewer, however admirable the book, to find something, somewhere, that is wrong. There must be some display of critical judgment. I think Professor McJimsey, especially in the war years, spreads himself a bit thin over Hopkins's exceedingly diverse activities and does not sufficiently assess the depth and reality of his intervention and exercise of influence. In 1942, for example, he has him coordinating anti-inflation strategy. Doubtless he was concerned therewith, but as the person principally coordinated, I have no real recollection of being so moved. Elsewhere, also, there is not sufficient distinction between the matters Hopkins touched and those he truly changed.

However, as noted, this is in some measure a ceremonial complaint. I endorse the jacket comment of Frank Freidel, which concludes by saying, "Overall, this is a splendid and important book." I am not, I must confess, acquainted with the recent generation of White House operatives—Mr. Deaver, Mr. Regan, Admiral Poindexter, and the peripatetic Lt. Colonel North. I somehow doubt, however, that they will ever command quite such an excellent and generally admiring work. ■

**Harry Hopkins, Ally of the Poor and Defender of Democracy.* George McJimsey. *Harvard University Press, $25.00.*

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More and more journalists write for Hollywood, not their readers

SOON TO BE A MAJOR MOTION PICTURE

by Steve Oney

As a journalist, Aaron Latham is hardly a household name. Yet rare is the pop-culture consumer unfamiliar with his work—not as it appears on the page, but as it flickers across the screen. Latham, you see, has a knack for writing magazine articles so inherently marketable that Hollywood executives envision cameras rolling and hear cash registers ringing at the mere mention of his byline.

If you loved John Travolta in "Urban Cowboy"—or hated the same actor in "Perfect"—Latham deserves both the credit and the blame. "The Ballad of the Urban Cowboy," which appeared in *Esquire* in 1978 and leads off *Perfect Pieces**—a collection of Latham's stories from the past 15 years—was responsible for both a box-office bonanza and the early eighties obsession with mechanical bulls and a four-acre Houston saloon named Gilley's. "Perfect," which appeared in *Rolling Stone* in 1983 and bats second in this volume, didn't score quite so big when it played at a theater near you (maybe that's because it unleashed upon an unsuspecting public the acting stylings of *Rolling Stone* editor Jann Wenner, who portrayed himself). But no contemporary time capsule could be complete without reference to the film and the world it depicts: coed health clubs and the sanitized courting rituals conducted around Nautilus machines.

For most reporters—especially those who believe in their words enough to rescue them from perishable periodicals by collecting them between hard covers—a discussion of the movies those words inspired would be not only irrelevant but an insult. Yet such is not the case with Latham. If anything, he seems proud of the fact that his articles are easily converted into film. This happens because Latham has consciously perfected a style of writing meant to trigger Pavlovian "We've got to make this a picture" responses among producers. Call it "treatmentese."

In an age when even murderers employ theatrical agents, and somewhere, someone is surely already trying to tie up the movie rights to the stories of Iranamok figures like Oliver North, the best get-rich-quick scheme going involves prospecting in the Klondike of true-life tales. As a consequence, journalists—who deal with such material every day—are in the perfect position to become the new '49ers. In other words, if a reporter can stake out a drama from the front pages, sign up the participants, and then dash off a piece that will serve as a compelling synopsis—A.K.A. treatment—when it crosses the desk of Mr. or Ms. Make-A-Deal, he's likely to hit a motherlode in movieland.

Of course, it's not so easy. The rub is that last item—writing it up so that it sells. This is where Latham excels, and this is why *Perfect Pieces* is, quite unintentionally, a primer on a generally unaddressed ethical dilemma for journalists: how far can a reporter go in shaping his articles to elicit interest from Hollywood before he abandons his integrity as a newsman? Considering journalism's relatively low salaries and freelance fees—especially compared to the high wages of screenwriters—any reporter with an eye on the main chance is likely to face this question sooner or later. And magazine journalists aren't the only ones confronting the issue. Newspaper writers, especially those with a talent for human interest stories, can also find themselves traversing this suspect terrain.

On the face of it, there's nothing wrong with a piece of journalism that reads like a movie. Good reporting—like a good picture—is often built around characters in conflict. If in the course of doing his job, a journalist just happens to produce a story featuring so many compelling elements that a call from the Coast comes the very day the article hits the newsstands, more power to him. The problems arise when a journalist willfully manipulates his material to cater

Steve Oney is a Los Angeles writer. He is working on a book about the lynching of Leo Frank in 1915.

**Perfect Pieces.* Aaron Latham. *Arbor House, $17.95.*

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to the Hollywood marketplace, a marketplace that puts a premium on titillation, outrageous complications, and plots that can be summarized in just one sentence. There is a fine line between journalism and treatmentese, but nearly every reporter who makes the effort to become savvy to the ways of the movie industry eventually discovers exactly where it is. By crossing it, he may score big at the bank, but he will also betray his readers by producing work that while high in concept, is noticeably low in such non-cinematic values as facts and interpretation.

Calculated design

Anyone who thinks treatmentese is a minor problem in American journalism these days obviously hasn't been reading many general-interest magazines. Lately, it seems that just about every other life-style, crime, or love story appearing in such publications as *Esquire*, *GQ*, *New York*, and *Rolling Stone* contains at least one passage that fairly screams: "Make me a movie, please." (A superb recent example is a 1984 *Los Angeles Herald-Examiner* series on mistresses by their columnist and ex-Nixon speechwriter Ben Stein. These articles—written in a prose pumped up by Stein's conception of Hollywood's idea of male fantasy—were almost immediately optioned by a producer who saw in their glib characterizations and pop psychologizing exactly what Stein intended him to see: a TV mini-series.) But all these pieces about office romances or heroic cops or troubled adolescents are really cheap imitations when put up against the genuine items bearing the imprimatur of Aaron Latham Productions.

Perfect Pieces' imperfect title piece, "Perfect!", is the perfect extant example of treatmentese. Written five years after Latham had had his first taste of Hollywood money and was hungry for another bite, it was immediately recognizable as a sales tool, a pitch aimed at a very small group of men and women who live west of Doheny and north of Sunset in Beverly Hills. Now, stripped of any news value by the passage of time, the story has the literary worth of an in-house memo, of interest only to film historians researching why Paramount Pictures made "Perfect."

Yet "Perfect!" deserves deeper exegesis. Readers—and editors—need to recognize the early warning signs of treatmentese when they see them. The first and most important thing treatmentese tries to do is whet movie makers' interest in a subject by reducing it to terms that even a moron could comprehend. (This is not because producers are morons, incidentally, but because they believe their audiences are.) Hence, by the second paragraph of "Perfect!", Latham declares: "Coed health clubs, the new singles bars of the eighties...are the new places where couples meet for one night or for many." Next, treatmentese must provide some quick jiggle right up top. Early in "Perfect!" Latham quotes a character named "black leotard" who purrs: "There's something kind of sexy about doing all that sweating and grunting." Then, treatmentese almost always cites a psychologist or consultant to suggest to any moguls in the audience that the piece is on the cutting edge of a trend that's going to produce lines around theater blocks all across America. In "Perfect!" Latham calls upon John *Megatrends* Naisbitt to weigh in with a few profundities that hint at a wave of coed health clubs a-coming. Skillfully crafted treatmentese must also offer some wild and unpredictable element. In "Perfect!" this feature is visual, stupid, and hence inspired: One of Latham's main characters—the boss stud of the health club—just happens to be a dancer at a nude male review, and he woos his weight-lifting honey by inviting her to a cabaret to watch him strip.

Finally, the sine qua non of successful treatmentese—the aspect of "Perfect!" that reduced Hollywood powerbrokers to drooling hostages anxious to hand over the combination to the office safe—has less to do with a piece's constituent parts than with their presentation. From "Perfect!" 's opening sentence ("The jumps and kicks and sensuous contortions performed are the new dances") to its last (" 'Roger and Lori, do you take each other for better, for worse, for richer, for poorer, in sickness and in health, in shape, but never out of shape, 'till death do you part?' "), Latham is doing by calculated design what screenwriters who regularly take meetings do by second nature: schtick. And no wonder. Producers—a breed notoriously easy to bore—are less interested in such old-hat standbys as rising and falling action than in immediate gratification. Thus "Perfect!" 's hurried, harried style, its "Ya-da-da-da-da-da...Ya-da-da-da-da...Ya-da-da-da-da-da...da!" approach to, well, narrative. Obviously, this tactic works in a Hollywood boardroom, but on the printed page in an article of approximately 7,000 words, it comes across like dozens of premature literary ejaculations.

In the most of the post-"Perfect!" pieces collected in *Perfect Pieces*, the frantic elements of treatmentese triumph over the often more sober staples usually found in good journalism ("Life Is a Hamburger," *Rolling Stone*, December

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1983—the story of two Texas kids who get married at a Burger King—has TV movie written all over it; "The New Speakeasies," Rolling Stone, December 1985—a look at the L.A. underground club scene—feels more like a feature).

What makes this sad is that in most of the pre-"Perfect!" pieces rounded up in this volume, Latham shows himself to have exceptional talent as a reporter. Among them is a fine article about author Gay Talese reported while Talese was busy researching his bestselling tome on sex in America, *Thy Neighbor's Wife*. Latham folowed Talese through the libidinous New York sexual underground, coming back with a detailed account of the writer's alley-catting, which originally appeared in *New York*.

When he puts his mind to it, Latham can also be quite an inspired stylist. This skill comes through best in this collection in a wonderful piece on Warren Beatty, written for *Rolling Stone* at the time the actor was making "Reds." When Beatty wouldn't allow Latham to interview him, Latham turned the tables on the star by interviewing his closest friends in order to construct a profile told by witnesses—a clever aping of the witness technique Beatty used in "Reds" to reveal protagonist John Reed through the words of his associates.

Unfortunately though, Latham's forays into conscientious reporting and creative writing are the exceptions, not the rule, in *Perfect Pieces*. Sadder still, his best work seems to have been done early in his career. This collection, then, is less a record of a journalist's progress than a chronology of his selling out. While reading *Perfect Pieces*, it's ironic to think back to Latham's excellent first book, *Crazy Sundays: F. Scott Fitzgerald in Hollywood*. In careful and well-informed prose, the Fitzgerald study chronicles the decline of a writer whose poetic style and psyche were too delicate to flourish in the movieland jungle. Latham's career has been the flip side of the Fitzgerald experience, for, since completing *Crazy Sundays*, he has succeeded in the movie business only too well. Yet in the process Latham has abandoned in his own writing most of what he once so much admired in Fitzgerald's. There's a moral here somewhere. ■

The writer as tourist in Nicaragua

If it's Tuesday, This Must Be Managua

by Charles Lane

A quick trip into the heart of revolutionary Nicaragua has become something of a rite of passage for the literate left these days. For their counterparts on the right, it's a few days in a contra rebel base. I took one of these "If it's Tuesday, this must be Matagalpa" tours of Nicaragua back in 1985. After eight days I came home with some dandy souvenirs and a rough sense that, on the spectrum of Marxist tyrannies stretching from Pol Pot's Cambodia to Tito's Yugoslavia, Nicaragua fits somewhere in the middle, on the mild side of Cuba. But my strongest impression was that such a short, casual visit, much of which was unavoidably spent in the company of eager Sandinista flacks, contained enough visual and anecdotal material to support any case I might have wanted to make about the place.

This helps explain how both supporters and critics of the Reagan administration's Nicaraguan policy can offer such unlikely and mutually exclusive visions of that country and its future. Contra fans continue to nurse the "Founding Fathers" illusion, despite well-documented reports of contra atrocities and a distinct lack of evidence that their leaders have in mind anything Americans would recognize as democracy. Sandinista fans pretend that the United States has no legitimate strategic interest in Nicaragua or anywhere else in Central America, and that our meddling is the source of all that country's economic woes, pro-Soviet leanings, and political oppression. If we would just quit fighting it, the revolution would resume the business of securing freedom, independence, and social welfare for the Nicaraguan people.

Charles Lane is an associate editor of The New Republic.

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Turtle meat heroes

The acclaimed author of *Midnight's Children* and two other novels, Salman Rushdie was born in Bombay and now lives in London. His new political travelogue*, is based on the usual pilgrimage: jet to Managua (via Havana), "briefings" with the Ministry of Culture, rum-and-Coke by the pool at the Intercontinental Hotel, Jeep rides through the land-reformed countryside. In London, Rushdie belonged to a "Nicaraguan Solidarity Campaign" out of a "deeper affinity with that small country in a continent [sic] (Central America) upon which I had never set foot." A child of India's revolt against the British raj, he felt naturally sympathetic with the Nicaraguans. He and they share "some awareness...of how it felt to be there on the bottom looking up at the descending heel."

This was tempered by just enough doubt to make the trip necessary: "I was familiar with the tendency of revolutions to go wrong.... I knew about starting with idealism and romance and ending up with betrayed expectations." But Rushdie needn't have worried. After three weeks in the country in July, 1986, he was content. "For the first time in my life.... I had come across a government I could support, not *faute de mieux*, but because I wanted its efforts (at survival, at building the nation, and at transforming it) to succeed." The Sandinistas, he writes, are "men of integrity and pragmatism."

How does he know? He asked them. The novelist describes cooperatives where, he was told, land is "owned and farmed by individuals and the government's role was limited to supplying them with power, water, health care, and distributing facilities." There. Proof of Sandinista flexibility. No state-farm dogma here. If Rushdie had asked more questions, he might have found out that the land titles the FSLN grants to members of such co-ops are tightly restricted and do not confer the right to trade or subdivide one's "property." And couldn't such cooperatives allow for plenty of state control? If a co-op gets out of line, the state could cut off its power, water, and health care, and reduce its access to markets. There is ample evidence that the Sandinista Defense Committees, which control distribution of food rations, operate in just such a manner. In any case, as Stephen Kinzer of *The New York Times* recently reported, the Sandinistas' state-run farm marketing network is riddled with corruption, mismanagement, and waste, and has spawned a thriving black market the government can't control. Perhaps, Kinzer suggests, some officials are involved.

But Rushdie doggedly ignores signs that the New Nicaragua is like the old one. Small instances tell. He notes that there aren't any decent toys in shortage-stricken Nicaraguan shops. Just 24 pages earlier, in President Daniel Ortega's home, "Children's toys...were everywhere." This irony passes unexplained and unremarked. Nor does Rushdie wonder why, despite the Sandinista's claims of mass adherence to their liberation theology-oriented Popular Church (claims which he accepts), posters of Pope John Paul II and conservative dissident Cardinal Miguel Obando y Bravo were "everywhere" in the shops and cafes of Managua. Nor does he find it odd that Ortega can chat about food shortages in his country as his guests consume turtle meat and other delicacies. Nor that Ortega's wife, Rosario Murillo, muses wistfully on the pleasures of New York City: "Oh yes. The wonderful yoghurt. It's the only thing I miss."

The only person Rushdie vigorously cross-examines is Violeta de Chamorro, the widow of Pedro Joaquin Chamorro, the editor of *La Prensa*, whose assassination (allegedly by Somoza agents) helped spark the 1978-79 insurrection. As heiress to *La Prensa*, which the Sandinistas closed after censoring it for months, Violeta de Chamorro is now a leader of the domestic opposition. Rushdie writes: "The first thing I noticed about Chamorro was that she wore a great deal of jewelry.... There were no concessions being made, the jewelry announced, to the spirit of the 'New Nicaragua.' "

In contrast to his credulousness toward the Sandinistas, Rushdie counters every assertion Chamorro makes. She dismisses the FSLN's victory in the 1984 elections; he calls the vote "the fairest ever seen in Latin America." His preposterous statement ignores elections in democratic Costa Rica, or, for that matter, dozens of other much fairer elections that have taken place throughout Latin history from Santo Domingo to Santiago. Yet Rushdie goes on to smear Dona Violeta: her "treatment of me did not indicate a profound respect for the truth."

The one aspect of Sandinista rule Rushdie does denounce is press censorship—it leaves him "depressed." Yet Rushdie's other remarks suggest that his concern for a free press reflects a rather shallow understanding of democratic politics. He visits a "Face the People" meeting, one of an occasional series in which Daniel Ortega or another

**The Jaguar's Smile: A Nicaraguan Journey.* Salman Rushdie. *Viking, $12.95.*

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Davis realized that Managua "presented an opportunity to observe the dirty little secret of revolution—that revolutionaries on winning power become precisely what they claim to abhor, an elite class."

commandante goes to a village, gives a speech, and answers questions from the audience. "I tried to imagine Ronald Reagan or Margaret Thatcher agreeing to submit themselves to a monthly grilling by members of the public, and failed," Rushdie writes. I tried to imagine Reagan or Thatcher converting their national armies into instruments of the Republican or Conservative parties, just as the Nicaraguan army has been a wholly-owned subsidiary of the FSLN since 1979. I failed.

Rushdie sees Nicaragua through the lens of his own shallow presuppositions. He has made little effort to grasp the history or political culture of the place, both of which influence the course of its political and economic development. To ignore such factors is a kind of insult to the very people he claims to support: it is not taking them seriously enough to study them.

Chaos as context

Peter Davis, the leftish maker of the anti-Vietnam war documentary, "Hearts and Minds," made a Nicaragua pilgrimage, too—in December, 1983, and briefly in 1986, so much of his material isn't fresh. He, too, spent a good deal of time listening to—and, apparently, writing down*—the party line. He is sympathetic to the idea of revolution. But he is no apologist. One conclusion, formed after watching Interior Minister Tomas Borge lording it over the diners at a fancy downtown restaurant: "Managua...presented an opportunity to observe the dirty little secret of revolution—that revolutionaries on winning power become precisely what they claim to abhor, an elite class."

Davis did his historical homework. To Rushdie, and to the Sandinistas, Nicaraguan history is a fable: U.S. intervention, the horrors of Somoismo, and the redemptive 1979 revolt—after which everything is "new." Davis, however, is attuned to the historical patterns in the Nicaraguan predicament, one of which is that Nicaraguans haven't necessarily viewed independence quite as longingly as the Sandinistas imagine. Rather, "when the Sandinistas finally overthrew the Somoza dynasty in 1979, they took control of a people ambitious for independence from the United States but far more accustomed to dependence." Some Nicaraguans figured the way to deal with their country's subordination was to make the best of it. As Davis finds, this attitude still turns up in the comments of Nicaraguans today. A teacher asks him: "Why don't the Sandinistas behave better, to get economic aid from the United States?"

Furthermore, Davis points out that American intervention was the product of more than just U.S. avarice or cold strategic calculation. Chronic chaos in Nicaragua was a precondition, too. The Marines often went to Nicaragua in response to appeals from one side or the other in that country's bloody nineteenth- and early twentieth-century civil wars.

This study of Nicaragua's violent history, coupled with his questioning of the Sandinista leaders today, equips Davis to place the Sandinistas' rule in a broader historical context. They are a product not only of foreign ideologies and domestic nationalism, but also of a distinct political culture that has never contained much room for pluralism:

> What Nicaragua lacks most in its political life is a tradition of comity, the sense of civility between those who disagree with each other, an opportunity for those out of power to gain it by a peaceful expression of the popular will rather than by shooting their way in. Nicaragua was born in the collective harshness of a militarized colonialism, the landed Spanish oligarchy, and the Catholic hierarchy that emerged from the inquisition. Anyone outside those small but omnipotent forces was barely entitled to live, much less have an opinion. While the country was being governed alternately by its old Liberal and Conservative parties, elections were frequently held but real power was traded at gunpoint.

Small wonder that Davis finds Daniel Ortega's blunt rejection of American-style liberty—"your freedom, sir, is a monster"—as repellent as it is predictable. What else could you expect from

**Where is Nicaragua?* Peter Davis. *Simon & Schuster, $18.95.*

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someone who is both a Nicaraguan and a Marxist?

Hyping toward humiliation

Davis grasps an underappreciated point about the nature of Nicaraguan politics. We may well be dealing with a political culture that, quite apart from the impact of imported ideology, is resistant to democracy as Americans conceive it. Davis wrestles with the implications, ultimately concluding that, dictatorial as they are, the Sandinistas still retain at least a kernel of idealistic concern for the development of their nation. More Latin than Marxist, they could evolve into a relatively unrepressive one-party state along Mexican lines if left alone. Maybe so, but that's hardly grounds for enthusiasm—or for outrage at the prospect that they might be overthrown.

This resistance to democracy offers little comfort to the Reagan administration or its critics. Because the promise of democracy is key to retaining support, both sides find it hard to admit—in public at least—that almost any course the U.S. takes in Nicaragua will probably yield ugly results.

For the administration, Nicaragua's anti-pluralist tradition makes it even harder to defend support for the contras as support for democracy. The rebels' fractiousness and authoritarian tendencies may be beyond the capacity of outsiders to remedy. (Of course, the CIA never pretended that its backing was contingent on anything but anticommunism. Pluralism and human rights were mainly of concern to the State Department.) On a purely practical level, this also means that one factor that reduces the contras' chances of winning is that they can't offer an attractive alternative to a large enough portion of the Nicaraguan people. Why trade in one group of dictators for another?

Critics of administration policy who take the strategic issues seriously usually advocate an alternative something like the following: an agreement with the Sandinistas that grants them the right to live in a contra-free environment, but satisfies our worries about Cuban advisers and Soviet missiles. Whatever the Sandinistas say, we would reserve the right to punish violations of such an agreement through the use of our own military force. And we would shore up neighboring regimes to prevent the Nicaraguan revolution from repeating itself.

Attractive as it is in theory, however, the costs, both economic and military, of bolstering other Central American governments against the destabilizing influence of a permanent Marxist presence in their midst would probably run into the billions. Congress has been known to shrink from such long-range commitments.

But the current course has its costs, too. And not just $100 million a year to arm the rebels or bad publicity around the world every time the contras bomb a clinic. The administration has hyped the stakes, declaring Nicaragua almost a do-or-die test case of American assertiveness in the world. Yet it has prescribed a means of winning that test that doesn't seem to match its diagnosis of the threat. As it did by declaring a Marine presence in Lebanon vital to our credibility throughout the Middle East, the administration has laid the rhetorical basis for its own—and the country's—humiliation in the event that its policy doesn't pan out.

Even in the administration's best-case scenario, our troubles would be far from over. Beyond vague generalities about the installation of a new democratic order, the administration has said little about what would happen if the contras actually won. Let's assume they do take Managua. There would undoubtedly be years of guerrilla war after that, as Sandinista die-hards retreated to the very hills from which the contras are attacking now. That could mean American troops. At a minimum it would require large amounts of military aid to the contra government—not to mention the huge infusion of economic aid it would take to rebuild and maintain the Nicaraguan economy.

For now, though, the costs of the revolution and the war continue to be borne mainly by Nicaraguans: contras, Sandinistas, and caught-in-the-middle types alike. Intellectuals and policymakers in the North can still enjoy their illusions on the cheap. ■

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How the good guys
got the bad guys to do the right thing

INSIDE TAX REFORM

by Paul Glastris

Saturday, May 3, 1986. Tax reform is bogged down in the Senate Finance Committee. A group of committee members who support the reform plan crafted by Chairman Bob Packwood are gathered in the committee room of the Dirksen Senate Office Building. It is a secret meeting; the hall outside, dubbed "Gucci Gulch," for the lobbyists who normally lurk there, is empty.

The goal of the meeting is to eliminate $35 billion in tax breaks. As rewards to themselves for supporting the controversial measure, the members of the group, in choosing cuts, make sure certain of *their* most favored tax preferences are protected. But to reach $35 billion, each senator must pony up some cherished breaks. Packwood offers to eliminate the preferential treatment on capital gains, which is important to his state's timber industry. Sen. Daniel Patrick Moynihan sacrifices the sales tax deduction.

As others follow suit, an inside joke develops: the senator giving up the break his constituent lobbyists expected him to fight for asks for "a note from the chairman." This means that when the plan is revealed and the lobbyists descend, the senator has permission to claim to have struggled fiercely for the break, only to be defeated by the chairman, to whom the lobbyists can then complain.

These and other subterfuges in the name of shared sacrifice are marvelously told in a new book* by two *Wall Street Journal* reporters, Jeffrey H. Birnbaum and Alan S. Murray, that chronicles the ups, downs, and ultimate victory of tax reform. In terms of offering insight into and conveying the drama of the Hill, *Showdown at Gucci Gulch* rivals Eric Redman's *The Dance of Legislation*. It is an important story. Tax reform was the first dramatic confrontation in more than a decade in which the special interests, and the politics of selfishness they represent, lost to the public interest.

No one seems to be eager to go through the same exercise again. Reforming the tax code meant forcing the political system to work against some of its most powerful tendencies. The success of tax reform is seen by many as an anomaly—a sort of political solar eclipse that required a peculiar political arrangement and is unlikely to repeat itself for a long time. It was not heavenly bodies, however, that made tax reform happen, but people—politicians, bureaucrats, reporters, and others, only a small minority of whom were idealistically committed to the goal. Solutions to many of our most pressing and seemingly intractable problems, such as the federal deficit, also depend, at least in part, on getting government to adopt policies that run counter to the demands of narrow, moneyed interests. The larger these problems loom, the more tax reform, with all its setbacks and imperfections, may become the paradigm for dealing with them.

Lobbyists' relief act

Retrospective searches like this, which try to isolate the powerful forces propelling history, can leave you with a sense that what happened was inevitable. Plenty of seasoned Washington observers talk about tax reform as if its victory was not at all suprising. It's healthy, then, to recall just how unlikely tax reform looked to insiders at the time. When Sen. Bill Bradley, the "godfather" of tax reform, was peddling his "Fair Tax" plan to eliminate most exemptions in exchange for low rates, Sen. Russell Long derided the bill as "an attractive conversation piece."

The odds remained bad even after the Reagan administration adopted tax reform and the legislators began formally considering it. Rep.

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Showdown at Gucci Gulch. Jeffrey H. Birnbaum and Alan S. Murray. *Random House, $18.95. Publication date: June 29.*

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Richard Gephardt himself abandoned the issue, preferring hotter subjects such as trade protectionism and his own budding presidential candidacy. In the summer of 1985, Gephardt encountered a reporter who was still covering taxes: "That's not a good story," the congressman advised.

After tirelessly driving tax reform through the House, Ways and Means Committee Chairman Dan Rostenkowski gloated over his success, content in his belief that the Republicans would be blamed when tax reform died in the Senate.

The cynicism was perfectly reasonable. Attempts at reforming the tax code had an impressive record of failure even before the growth of special interest PACs. On this recent effort, the special interests poured resources into the fight to save their tax benefits. PAC contributions to House Ways and Means and Senate Finance committee members in 1985, the year the tax reform legislation was being considered, were $6.7 million, two and a half times the 1983 amount. Chairman Packwood was the Hill's number one recipient of PAC contributions. Industries and organizations paid such enormous fees to so many lobbyists that the tax reform bill soon became known in Washington as the "Lobbyists' Relief Act of 1986."

One of the remarkable lessons of tax reform—one that should encourage attempts to apply the lessons elsewhere—is that you don't need many reformers to effect reform. The key players were not, for the most part, men who had lost sleep over the inequities of the tax code. Treasury Secretary Donald T. Regan had spent his years as head of Merrill Lynch lobbying for various investment tax credits. Pragmatic Jim Baker, a Texas corporate lawyer for whom oil and gas breaks were sacred, took Regan's job eagerly, but the tax reform cause grudgingly. Deputy Secretary Richard Darman had idealism, accompanied, however, by equally strong Machiavelian instincts. Rostenkowski, his roots in the Chicago Democratic machine, was infamous for his failed attempt to outbid the Reagan administration in giving tax breaks to special interests during markup of the 1981 tax bill. Robert Packwood was perhaps the most unlikely reformer of all; "I sort of like the tax code the way it is," he said in 1985. Before tax reform landed in his committee, Packwood twice threatened to kill it if his favored tax breaks weren't preserved. There were precious few reformers in either Packwood's or Rostenkowski's committees; members generally seek appointment to Finance and Ways and Means for the purpose of *giving* tax breaks to favored and powerful constituents. "None of us is committed to tax reform," declared Senate Finance Committee member Malcolm Wallop at one point.

Neither, in fact, was the public, as politicians repeatedly found out on their trips back home. This did not mean, however, that Americans cared much for the existing tax code. In 1972 Americans generally viewed the federal income tax as more fair than state and local taxes; by 1985, they saw it as less fair by far. A major reason was that congressmen loved to give special interests loopholes, which transformed accountants and lawyers into tax shelters. Between 1976 and 1983, the amount of money in tax shelters is believed to have risen ten-fold, from $2 billion to $20 billion.

The sense of unfairness coalesced around the kind of Outrageous Anecdote that had previously helped lead to reform. In the final days of the Johnson administration, for instance, Treasury Secretary Joseph Barr, warning about an impending taxpayer's revolt, released figures showing that in 1967 155 people with incomes higher than $200,000, 21 millionaires among them, managed to pay no taxes at all. The resulting press reports and constituent outrage caused newly elected President Nixon to agree to legislation that repealed many tax breaks.

The man behind the Outrageous Anecdotes that led to the Tax Reform Act of 1986 is Robert McIntyre, a lawyer with Citizens for Tax Justice. With a computer and stacks of annual reports from the nation's largest companies, McIntyre discovered that, thanks in part to the Reagan-sponsored 1981 tax act, 128 large and profitable companies paid no federal income taxes in at least one year between 1981 and 1983. His study led to banner press headlines and changed attitudes; even James J. Kilpatrick started preaching against "corporate welfare."

Changed attitudes toward corporate tax breaks were behind one of the great surprises of tax reform, "Treasury I," the tax overhall plan drafted in 1984 by Donald Regan's Treasury Department. In his 1984 State of the Union address, the president directed Regan to "study" tax reform. The call was a largely cynical attempt by the White House to take the wind out of what it believed were Mondale's plans to make tax reform a central campaign issue. (Mondale, of course, had no such plans, despite entreaties by Bradley; Democrats were no less vulnerable to special interest pressures than Republicans.) But in the process of "studying" the tax code,

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Regan—who, say Birnbaum and Murray, saw tax overhaul as a way to regain prominence for himself within the administration—underwent a remarkable transformation.

Throughout 1984, Regan kept himself and a handful of top treasury officials locked up in secret tax-drafting sessions. There, sealed off from outside political influences, the secretary came under the intellectual sway of Ronald Pearlman, assistant secretary for tax policy, and Charles McLure, Pearlman's deputy. Both were die-hard conservative tax reformers who believed that the market, not the tax code, should guide the flow of capital. Putting that idea in practice meant wiping out virtually all deductions and exemptions—including corporate breaks backed by Reagan, and Regan, in 1981. These ideas delighted treasury bureaucrats, who kept the two constantly supplied with analyses to support their arguments. McLure, a conservative economist affiliated with the Hoover Institute, spoke in Regan's language—he called attempts to spur growth with tax breaks "tax code socialism." Regan became a convert, openly delighting in the havoc his plan would cause. (Birnbaum and Murray point out that the secretary had a stong iconoclastic streak. On Wall Street, he broke ranks by advocating an end to fixed brokerage commissions and enjoyed the chaos he caused in other firms when he transformed Merrill Lynch into a financial services giant.) In drafting Treasury I, Regan agreed to hit just about every tax preference in the IRS Code and to raise corporate taxes by a staggering $150 billion.

The president praised Treasury I in his 1985 State of the Union address. His support for reform, and his famous ability to charm rebellious legislators into also supporting it, would prove crucial for its success. His fondness for Treasury I, however, was apparently enhanced by his ignorance of certain substantive details. When asked by reporters about Treasury I's vast increase in corporate taxes—a clear 180 degree reversal of his 1981 corporate tax strategy—Reagan was honestly shocked and dismayed such increases were proposed.

With its pristine fairness and huge corporate tax increases, Regan's plan was widely considered politically inept. Upon coming to Treasury in 1985, Jim Baker and Richard Darman devised their own, more accommodating proposal, and in so doing kept the reform process moving. But Treasury I played a crucial role: it planted the flag. Like Nixon's opening of China, it changed the politics of tax reform. Traditional Democrats, who feared crossing the special interests but who could always be counted on to chime in when the unfairness of the tax code was under discussion, could find nothing in the proposal to use as an excuse not to support it. One such Democrat, Chairman Rostenkowski, suddenly had several compelling reasons to become a reformer: he feared the Republicans would outpolitic the Democrats with the issue; he saw shepherding tax reform through Ways and Means as a way to regain a reputation as a powerful committee leader after the drubbing he took in 1981; and he saw the campaign contributions that might come his way. "I started to realize that, brother, I've got a lot of friends in the business community," the chairman recalls. "I realized at that point that I was their salvation, because I wasn't going to move as far as Treasury I."

Treasury I also proved invaluable to Republican tax reformers. In the early days of the tax bill's mark-up in the Senate Finance Committee, the prospects for reform had hit a new low. Committee Chairman Packwood was a reluctant reformer; it was an election year, and he did not wish to be seen as the man who stood in the way of his own president's worthy initiative. His way of moving the bill along was to try to meet the minimal parochial demands of every committee member. It was a losing strategy—with each concession came further demands. Sensing defeat, Packwood tried something desperate. Over burgers and beer at a Capitol Hill watering hole, the chairman and his top aide Bill Diefenderfer decided to propose what they called the "radical plan": a top rate of only 25 percent, a full 10 points lower than any previous plan. (Like Regan, Packwood enjoys an image of himself as a maverick; his support for radical reform made the senator think of the final shootout in the Sam Peckinpah western "The Wild Bunch.") To compensate for such low rates required not only relentlessly eliminating exemptions but raising corporate taxes. It was Treasury I that made those corporate tax increases possible. "If you're a Republican, there're certain things you can't backtrack on; corporate tax increases was one of them," Diefenderfer told me. "Because of Treasury I, we weren't having to fight constantly for that ground."

Tax reform yin and yang

The lack of public support for the tax reform effort did not reflect a lack of public eagerness for reform but cynicism about the government's ability to achieve it. This created a maddening dilemma for politicians once tax reform became

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Jaded Washington insiders may not believe it, but tax reform has widened the boundaries of the politically possible.

a real issue. They could support reform, a cause for which there was little outcry, and in so doing face the wrath of the special interests, or they could oppose it, and risk being tagged by the press, and perceived by the public, as having sold out to the money men. "It's paranoia on the Hill," complained a lobbyist. "They're scared to appear to be caving in to the special interests."

Behind their fear was the knowledge that enough reporters actually understood the intricacies and significance of what was going on. Too often newsmen are so baffled by the complexities of subjects like tax policy that they are grateful when officials *tell* them what the issues are. Correspondents like Birnbaum and Murray, who modestly refrain from mentioning themselves or their work in their book, provided some of the debate's most comprehensive, and comprehensible, reporting. *The Washington Post*, however, not *The Wall Street Journal* or *The New York Times*, is the paper federal officials and politicians and staff members read most regularly. The *Post* and the hometown press are where they take the measure of how well they are performing. Even more key to tax reform's success, then, was the reporting of the *Post*'s Dale Russakoff and her partner on the tax reform beat, Anne Swardson. "Dale understood what the fight was all about," Robert McIntyre said recently. "It wasn't about technical gobbledygook, it was about money and politics and society. By just describing things clearly, she kept people from getting confused and kept the politicians from covering up." In the early days of the House markup, when the Ways and Means Committee voted to give additional breaks to the banking industry, the *Post* ran this headline: "Tax Reformers Turn Recidivist; Bank Lobbyists Won Another Break From Ways and Means." *New Republic* editor and tax reform champion Michael Kinsley also kept the heat on in his TRB column. Another article in the magazine dubbed the Senate Finance Committee chairman "Senator Hackwood."

Shame and fear, however, were not enough to assure tax reform's passage. Seamier tactics were also employed. Chairmen Packwood and Rostenkowski greased up tax reform with transition rules—special breaks that exempt certain groups, industries, and companies from the first year or two of the new taxes—in order to keep the bills moving. During the final, delicate days of the House markup Rostenkowski openly threatened to withold transition pork from any member who crossed him. Richard Darman convinced legislators to accept a 5 percent "surcharge" on income between $100,000 and $250,000, thus raising additional revenue while maintaining a lower "official" top rate on income *above* $250,000. When Treasury discovered a $21 billion shortfall in Packwood's bill that might have lessened its chances of passing the Senate, Darman and Baker muscled the department into keeping the numbers secret; by the time the Joint Tax Committee made the same discovery, tax reform was already in the House-Senate conference.

With all the horsetrading and political gerrymandering, plenty of narrow interests, such as oil and gas producers, succeeded in protecting their breaks. But the narrow interest that came out best in tax reform was not an industry but a class: the rich. As a result of tax reform, the top rate dropped from 50 percent to just 28 percent, and with it, the heart of the principle of progressive taxation.

This was not a concession made in the heat of legislative battle. Trading the rich tax breaks for much lower rates was a well-considered strategy dating back to Bradley, one he and others felt was crucial to achieving the larger goal of tax reform. They were right. Lower tax rates have an obvious and natural appeal to people of almost any political stripe, but especially to Republicans. With the rise of Reagan and Reaganomics, the appeal of rate-cutting reached a new high. In for-

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mulating his Fair Tax, Bradley consciously incorporated that appeal, fusing it with the loophole-closing equity that had long drawn Democrats to tax reform. That was the brilliance of the plan. It gave each side something it wanted and asked each side to yield other things it wanted, the political yin and yang tied to a greater common good.

Yet there are costs to the new low rates few Democrats at the time apparently considered. The rules Bradley set up in Fair Tax, which Treasury and Congress then followed, was that tax reform would affect neither government revenues nor income distribution. This was an implicit call for accepting the low rate the rich, with all their deductions and shelters, *actually* paid, as the rate they *ought* to be paying. Tax reform, in a very real sense, conceded that all the lobbyists and tax lawyers and shelter hustlers who have profited from helping the rich outwit the IRS were ultimately in the right. A familiar rationalization for this was that high rates create incentives for the rich to undermine the tax code through lobbyists and accountants—as if, even with the new low rates, the rich wouldn't continue such schemes.

Journalist William Greider pointed out the palpable costs of the top rate reduction. In *Rolling Stone* last November, Greider showed that the new rate will give a $20 billion tax windfall to 390,000 rich Americans who make more than $200,000 a year but aren't taking advantage of tax shelters. Tax reform also *takes* about $20 billion from those in the same top income group who are using tax shelters. Taking from the rich to give to the rich.

Writing in *The Washington Post* in April, Robert Reich articulated a less palpable, but more insidious effect. Reich likened the loss of the principle of progressivity to the informal exemption from military service the rich received with the ending of the draft in 1973. Both, says Reich, amounted to "a renunciation of social aspiration. The retreat signaled an abandonment of an important goal, and with it our sense of mutual responsibility and interdependence." Sadly, the loss of the principle of progressivity represents the opposite of what tax reform, in its noblest light, stands for: the spirit of shared sacrifice for the common good.

Yet without the lower rates, tax reform was doomed—that's the persuasive justification for it. Indeed, the lower the top rate, the more loopholes had to be eliminated to pay for it. Rostenkowski's bill, with high corporate taxes and a top rate 11 points higher than Packwood's, did not seriously crack down on tax shelters; Packwood's bill, with lower but still substantial corporate taxes, virtually eliminated shelters. Yet the effect of both bills on the amount of taxes the wealthiest group of Americans paid was about the same.

Despite its imperfections, the Tax Reform Act is for the public good. Though the 28 percent top rate is a blow to the principle of progressivity, the new tax code will be more progressive in its effect than the loophole-ridden code it replaces. It takes six million of the working poor off the tax rolls. It eliminates billions of dollars of economically worthless tax shelters. It removes inequities between those who paid their full share of taxes and those who exploited deductions to reduce or eliminate their taxes.

But tax reform's most important victory is in showing that politically irresolvable dilemmas can be overcome by appeals to, and strategies aimed at, the common good. The country now faces another such dilemma: towering deficits side-by-side with the need for immense amounts of additional government spending—for programs such as infrastructure repair, welfare reform, and care for the elderly. The best solution to these problems is to divert tax dollars from where they aren't essential to where they are, and to increase taxes. One becomes gloomy just thinking of the number of special interests arrayed against such a solution.

What makes tax reform an inspiring lesson is that cracking the special interest gridlock doesn't require sweeping Washington clean of self-interest. A few key players in the right places can set things in motion so that even those disposed toward fighting reform see their own interest in backing it. There must be Bill Bradley-types able to fashion radical compromises that work. There must be reporters who understand federal programs well enough to see through press releases and distinguish fat from muscle. There need to be a few administration officials who, like McLure and Pearlman, can persuasively argue the case for ideal solutions. There's an equal need for a few others, like Darman and Baker, who can fashion the Machiavellian tactics to implement them.

Jaded Washington insiders may not believe it, but tax reform has widened the boundaries of the politically possible. It is not outrageous, then, to call for one simple legislative change that will correct the most serious flaw in the Tax Reform Act of 1986, plant a flag for the notion of shared sacrifice and, incidentally, brings us about $20 billion closer to the goal of deficit reduction: raise the top tax rate by, say, 10 percent. ■

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Continued from p.2

What comes with the territory

"The Turtles of Mona Island" [Russell Wild, March] was magnificent, but this rare *Washington Monthly* article on a Puerto Rican topic omitted any reference to a chronic dilemma confronting not only wildlife but also 3.3 million United States citizens. On environmental issues and a host of others, Puerto Rico frequently endures federal government neglect for the most basic of reasons: it lacks political clout.

If Puerto Rico were a state, our population would entitle us to a half-dozen representatives, in addition to two senators and the right to participate in presidential elections. As a territory, we have no presidential balloting, no voice in the Senate, and a lone (non-voting) "resident commissioner" in the House.

Ironically, it has consistently been the reputedly civil-and-environmental rights-insensitive Republicans (and never the Democrats!) who have openly endorsed Puerto Rico statehood in their quadrennial party platforms.

GEORGE McDOUGALL
San Juan, Puerto Rico

George McDougall is Government Affairs Committee chairman of San Juan.

Paper provincialism

Douglas Kiker ["Political Booknotes," April] describes the *Herald Tribune* in the sixties as "the best written daily newspaper in the world." Has Kiker any idea of how parochial that phrase appears, at least when read outside the United States? Does he know that in the sixties three British newspapers—the *Times*, the *Guardian*, and the *Telegraph*—seemed to many of us just as literate as the *Herald Tribune*? Does he recall that in the same period the London (Sunday) *Observer* was clearly much better written than the Sunday *Herald Trib*? Has he thought at all about how well written the newspapers of Berlin, Frankfurt, Milan, and Paris were during those years? Would he care to rewrite his boast to read, "the best written daily newspaper in the United States"?

ROBERT FULFORD
Toronto, Ontario

Conservative media establishment?

I enjoyed the article on C. E. Koop ["Warning: The Surgeon General May Be Good for Your Health," Paul Glastris, March], but since when has *The New York Times* been considered a liberal newspaper?

Additionally, it's the National Organization *for* Women, not *of* Women.

SHELLEY BAIN
Des Moines, Iowa

Presuming credentials

The part of ["Tilting at Windmills"] in the February issue about doing what you want to do is undoubtedly good advice for those people who can afford it, and I suspect that most of your readers would qualify as yuppies (a marvelously descriptive term). I may even send it to a friend of mine who's thinking about leaving an investment firm. But it irritated the hell out of me when I read: ". . .if you have a solid science or math major in college." But what of those of us—still a majority of the population—who never went to college? We do the jobs we're offered, and especially now, we don't have much of a choice, if we have a job at all. (I've lectured at a few colleges, but I never attended one.) I suppose it's a case of "misery loves company," but when one has been out of a job for over a year, reading about all the possible choices is frustrating. There seemed to be an assumption that anyone reading the column could *of course* choose between whatever he/she was currently doing, and something else that might be more rewarding.

ROBERT COULSON
Hartford City, Indiana

Charles Peters replies:

Anyone who has read Nathaniel West's *Miss Lonelyhearts* knows how I felt when I read this letter. I was addressing people who have a choice. If I did not feel I had a choice, I would, like Mr. Coulson, resent the assumption that I did.

Measuring abuse

I wrote *Alchemists of Revolution: Terrorism in the Modern World* in the conviction that a certain kind of shallow moralism was a major obstacle to understanding terrorism clearly. Refusing to substitute denunciation for analysis, I outlined a theory of terrorism's causes, nature, and consequences demonstrating, among other things, that this sort of violence does not liberate the oppressed, but tends rather to serve the interests of conservative nationalist elites. At the same time, I insisted that much terrorism is both a response to imperialist violence and an imitation of its style. Conclusion: the antidote to terrorism is not more imperialist violence, it is a more effective mass movement to liberate the opressed.

According to David Ignatius, reviewing the book in your April issue, this approach is "outrageous." In his zeal to convict me of being soft on terrorism, Mr. Ignatius resorts frequently to a word beloved by political smear artists everywhere: "almost." Thus I am said to be "almost enthusiastic" about the prospect of increased terrorism in the United States.

The reviewer is apparently unable to understand that one can oppose terrorism strongly without approving a counterterrorist *jihad* against its practitioners. Nor does he perceive that in a world dominated by killer nation-states, the abuse of power is a greater evil than the abuse of powerlessness.

RICHARD E. RUBENSTEIN
Washington, D.C.

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POLITICAL BOOKNOTES

Submarine Warfare Today and Tomorrow. Capt. John E. Moore, Cmdr. Richard Compton-Hall. *Adler & Adler, $22.95.* A disappointing book on a topic that cries out for a first-rate treatment. Moore, a retired British submarine driver and now editor of *Jane's Fighting Ships*, and Compton-Hall, director of an English submarine museum, have attempted to spell out what modern submarines can do and whether in a future war they will make the roughly $500 billion U.S. surface fleet the fastest-sinking investment since the 1929 stock market.

Unfortunately *Submarines Today and Tomorrow* is poorly written and hopelessly disorganized, a book in search of an editor. Even those familiar with military lingo are likely to find many passages difficult to follow.

Readers who somehow penetrate the book's semantic countermeasures will discover a disjointed but persuasive argument on a proposition rarely seen in these pages: that nuclear submarines are so much better than diesels, the extra expense is justified. (Though the authors chide the U.S. for abandoning the diesel submarine altogether.) Moore and Compton-Hall also argue that the size of contemporary mega-subs like the U.S. Trident and Soviet Oscar and Typhoon does not make them notably more vulnerable than smaller subs, as noise, speed, and diving properties have more to do with avoiding detection than girth. The problem with mega-subs, they say, is that the vessels are so expensive only a few can be produced.

But after dancing around the topic of whether surface capital ships are still worth building, Moore and Compton-Hall whiff on this key question, which will leave many readers with a "why did I bother reading this?" sentiment.

—Gregg Easterbrook

National Geographic: Behind America's Lens on the World. Howard S. Abramson. *Crown, $17.95.* Abramson, a *Washington Post* financial editor, discloses in this book a number of little secrets about the Grosvenor family business—the National Geographic Society (NGS)—such as old Dr. Gilbert H. Grosvenor's penchant for fascism, complete with anti-Semitism; the NGS's genteel Southern racism; the Society's subtle sexism; and some big lies such as the lengths to which NGS went to name Navy Admiral Robert E. Peary as the North Pole's discoverer—all for its own publicity-seeking self-promotion.

The world's largest nonprofit scientific and educational organization, Abramson discovers, is a monolithic mail-order publishing house interested only in its own survival.

The Society is an institution created by well-intentioned people that continues to do well-intentioned work. But its scientific achievements, Abramson says, lie mostly in the publication of its magazine. Hardly a new frontier. Moreover, the commitment to education is self-serving, feigned for the protection of its nonprofit (read tax-exempt) status. Is its mission "for the increase and diffusion of geographic knowledge" so unique? No. Does NGS devote itself to scientific exploration? Not exactly; less than 1 percent of revenue funded research and exploration in 1983. Is the Society "educational"? Not any more than Rand-McNally or McGraw-Hill. Then does the National Geographic Society deserve to be tax-exempt? Absolutely not.

Tax-exempt since its founding, NGS has the advantage of ambiguous regulation. In *Behind America's Lens* an IRS official explains: "It is very difficult for us to judge what is 'educational' and what isn't." Not only does NGS not pay a penny of the $670,000 in property taxes its downtown real estate would generate annually, but it benefits from reduced postal rates for nonprofits.

The Society may well lose its nonprofit status, Abramson states, especially if recent forays into video technology provide more and more of its revenue. "One has to wonder," he claims, "how the IRS will respond as video products and television shows consume increasing portions of the Society's enormous operating budget and generate more of its income." Abramson didn't examine this TV sideline closely enough.

In fact, NGS has been working hard to protect itself. In 1984, it created a new division called Educational Media (EM) for producing filmstrips. While I worked there, EM doubled in size. The division took on computer software development; a videodisc project; an NGS-Apple Computer-Lucasfilm co-production for the classroom; and a collaboration with the American Association of Geographers and school districts around the country.

The IRS threat to revoke the Society's tax-exempt status if it did not undeniably demonstrate its educational purpose has already been seen and answered by Grosvenor and the rest of the top NGS brass.

—Tony Simonelli

The World and Richard Nixon. C.L. Sulzberger. *Prentice Hall, $18.95.* This is a loosely organized review of Nixon's foreign policy, based on the well-founded notion that Richard Nixon is not the beast that most Americans find him to be. That it refrains from the Nixon-bashing commonplace among American journalists is refreshing. That it takes sides is disturbing; Cy Sulzberger's many years as foreign correspondent and columnist for *The New York Times* should have produced a better balanced book, one less dependent on its subject's own writings and public statements.

No new Nixon revelations or reassessments here. Yes, Nixon, in one of his "exclusive" moments with Sulzberger, admits that dropping military conscription for the All-Volunteer Force was a mistake. But his defense is incoherent and Sulzberger simply lets his tape recorder run. Nixon also admits that his timing of the Cambodian

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bombings was all wrong. Along with the bombing and mining of Haiphong, he says the Cambodian bombings should have been sooner to force an earlier Paris Accord. They then should have continued, providing cover for the South Vietnamese army after a major withdrawal of U.S. military forces. Given the broad public objections to the bombings at the time, it's hard to imagine why a seasoned journalist failed to follow this up by questioning the effect that bombing might have had—and did have—on Cambodia.

As a political theorist, Sulzberger is a realist. Yet he fails to accept the central fact that for Nixon the U.S.-Soviet conflict is ideological and power politics must account for it. Strange that Nixon, the man who developed a national reputation as a dogged anti-communist on the House Un-American Activities Committee and participated in the famous "kitchen debate" with Khrushchev, would be so oblivious to ideological concerns years later.

In part, Sulzberger's omission of Nixon's anticommunist roots is due to his bad habit of accepting world leaders at their word. Never once is motive or vantage questioned. This can be downright embarrassing. He suggests that Kissinger incorrectly viewed Allende as a radical aligned with Cuba. Why? Because Allende told him so. Sulzberger also tells us that Kissinger was the sole architect of clandestine CIA operations in Chile. Sulzberger discussed this with General Pinochet, whose coup displaced the Allende government. Pinochet told him he never had U.S. backing (which may be true) and that he was fearful that Allende's government might doom Chile by serving as a base for Soviet and Cuban activities. Sulzberger writes: "I tend to believe Pinochet, a man who is not blessed with a winning personality but whose unvarnished arguments have a telling ring."

This blind acceptance is complicated by Sulzberger's unwillingness to be a simple observer. On numerous occasions he volunteered, or was asked, for his opinion. Nixon asked him for a report on a visit he made to Chile in March 1971; Sulzberger offered seven specific recommendations for U.S. policy.

A critical study of the theories and practices of Nixonian foreign policy at this juncture is sorely needed. But like Tad Szulc in *The Illusion of Peace*, the only other significant work that seeks to tell the Nixon foreign policy story, Sulzberger seems more interested in settling scores than shedding light.

—*Michael A. Fernandez*

G.I.—The American Soldier in World War II. Lee Kennet. *Scribners, $20.95. G.I.* centers on the lowest possible denominator in warfare: the common soldier. I was one of those soldiers, an infantryman in Italy. The book begins with the drafting of the American G.I. in World War II and his basic training, which was often unrealistic and was related only marginally to later battle experience, and goes on to the problems of adapting individualistic Americans to military norms, the lunatic randomness of actual battle, the anticlimax of occupational duty, and the unseemly hasty dissolution of the U.S. Army shortly after the war. There is no flag waving or patriotism in *G.I.*; Kennet recognizes, as do most combat soldiers, that motivation has nothing to do with such vacuous notions. Instead, troops fought for each other, their small unit.

Those who actually fought, about 10 percent of an army of more than eight million by 1945, were for most of the war the "dregs" of the draft; the upper classes did not see combat until very late in the war, when those sent to colleges and universities for special training were finally press-ganged into the infantry to replace unexpectedly heavy losses.

Kennet rightly decries the American replacement system that kept divisions in combat for protracted periods during which they were ground up by attrition. Other armies, allied and enemy, pulled fighting divisions out of battle for replacement, refurbishing, and retraining. American replacements were individual soldiers who faced

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Alan Dowty

In this eloquent and informative book, Alan Dowty traces how different countries throughout history have dealt with movement in and out of their borders. Making a strong case for open borders that would allow individuals to emigrate or immigrate at will, Dowty calls on the United States to rethink its own restrictions on immigration and refugees and to take the lead in demanding freedom of movement throughout the world.

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isolation for some time in their new units until accepted by the veterans. More often than not these inexperienced youths were promptly put "on point" for the practical reason that they were far less useful than the battle-hardened old timers—though few infantrymen lasted long enough to become "hardened."

Kennet also makes clear the differences that emerged in combat conditions between the Pacific and European theaters. For example, soldiers in Europe rarely expressed hatred of their German enemy. They perceived German soldiers to be much like themselves in combat, as prisoners, and certainly during the occupation. But virulent hatred was directed at the Japanese, and took on an increasingly racist dimension. While Japanese soldiers rarely surrendered, American soldiers often refused to take prisoners even when there was a clear opportunity to do so.

For those who did not serve during World War II—a population with a vanishing sense of history—*G.I.* reveals the heavy burden of war and death borne by those with the least to say in great political and military decisions that shape, take, and frequently waste their lives.

—*Paul L. Savage*

Rayburn: A Biography. D.B. Hardeman, Donald C. Bacon. *Texas Monthly Press, $21.95.* Sam Rayburn served as speaker of the House longer than anyone else—from 1940-1961, with time out as minority leader during the Eisenhower administration. Today he is remembered chiefly as a reticent survivor who admonished younger legislators, "in this House, the people who get along the best, go along the most."

But there was more passion and substance to Rayburn than the saying suggests. While still a freshman, Rayburn sponsored legislation giving the Interstate Commerce Commission the authority to approve all new transportation securities—a measure that brought Rayburn into conflict not only with the then-powerful railroads but also with President Woodrow Wilson. Rayburn's actions so angered Wilson that he lent support to Rayburn's opponent in the next election.

The tension between Rayburn's populist ideals and the need to "get along" ought to provide material for a first-rate biography. And with Rayburn's protege, get-along, go-along, Jim Wright, recently ascended to the speakership, this is a useful time for such a biography to be published. Unfortunately, Hardeman, a former Rayburn staff member, and Bacon, an editor at *U.S. News and World Report*, have produced a worshipful book that, paradoxically, makes Rayburn seem a dull fellow. Until a really first-rate biography appears, the curious will do better to read Robert Caro's brilliant chapter on Rayburn in *The Path to Power.*

—*Timothy Noah*

Mortal Splendor, The American Empire in Transition. Walter Russell Mead. *Houghton Mifflin, $18.95.* More important than the contents of this maddeningly uneven book is its publication now—as another liberal effort to prepare an intellectual and political agenda for the post-Reagan years. Once again, a liberal book is talking of limits, openings to the Third World, and the inability of the U.S. economy to spread its wealth adequately among all its citizens. These were common themes of the late seventies that suddenly sound topical again at a time of collapsing currencies, mounting debts and interest rates, and high comedy disguised as national security policy.

Mortal Splendor does not pretend to be a work of original scholarship; rather it is part polemic and part prescription.

In an effort to score rhetorical points, Mead is given to excesses and plain sloppiness. That Britain, France, and Germany "progressed simultaneously" to democracy would come as a surprise to most Europeans. And to assert that Stalin, Hitler, and Roosevelt were equally preoccupied with the need for their governments "to establish and maintain an intimate link with even the humblest of the nation's citizens" boggles the mind.

Fortunately, *Mortal Splendor* is two books. Mead's prescriptive analysis, while inevitably controversial, at least offers some thoughts for Democratic liberals before they begin assigning themselves downtown office space for 1989. His analysis certainly highlights the question of whether the gulf between neoliberals and institutions such as labor can be bridged. He criticizes institutional prescriptions such as protectionism but is more critical of the neoliberals for failing to understand the threat of Third World low-wage competition. He offers one innovative response: that the U.S. push for a kind of international minimum wage. The idea is not as Utopian as it first might appear.

Mead also predicts that future economic planning and distribution will be guided through a government-supervised cartel of banks, brought to such a state by their foreign debt problems. Horrific to imagine, but at least original and plausible. Like his other prescriptions, it is based on the assumption we will need and want more government in the future. For government to work, Mead acknowledges the need to find alternatives to current bureaucracies. One suggestion is jury-like citizens' panels to make decisions in such adverserial situations as the location of highways.

Basically, however, this book is far longer on analysis than prescription. Mead concludes that the Establishment will have to turn over power to the children of its housemaids and that the Democrats will have to become a more populist party. He assumes that further economic decline and discontent will create the conditions for these political transformations. Perhaps, but there is no compelling evidence in this book that a populist coalition has a program or is ready to take power. Indeed, Mead acknowledges that his baby-boom generation is as unanchored and politically unsettled as any in U.S. history. This large generation is just as likely to atomize or lurch further to the right as it is to provide the driving force for a new venture in liberalism.

—*Michael D. Mosettig*

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